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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रख जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

मंत्रिमंडल सचिवालय

नई दिल्ली, 17 अप्रैल, 2003

CABINET SECRETARIAT

New Delhi, the 17th April, 2003

का. आ. 1312.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार की अधिसूचना सं. एचडी 56 पीसीआर, 2003 दिनांक 3 अप्रैल, 2003 द्वारा प्राप्त कर्नाटक राज्य सरकार की सहमति से श्री आई.पी. वेंकटरमनप्पा, वैज्ञानिक ई-1, नेशनल एरोस्पेस लैबोरेट्रिज, बंगलूर और अन्यो के विरुद्ध भारतीय दंड संहिता 1860 की धारा 120-बी सपठित धारा 420 तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का केन्द्रीय अधिनियम 49) की धारा 13 (2) सपठित धारा 13 (1) (डी) के अधीन दंडनीय अपराधों और उपर्युक्त अपराधों में से एक अथवा अधिक से संबंधित अथवा संसक्त प्रयत्नों, दुष्टेरणों और षडयंत्रों तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध अथवा अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है।

S.O. 1312.—In exercise of the powers conferred by Sub-section (1) of Section 5, read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No.25 of 1946), the Central Government with the consent of the State Government of Karnataka vide Notification No. HD 56 PCR, 2003 dated 3rd April, 2003, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of offences against Shri I.P. Venkataramanappa, Scientist E-I, National Aerospace Laboratories, Bangalore and others punishable under Section 120-B r/w 420 of the Indian Penal Code, 1860 and Section 13(2) read with 13(1)(d) of Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[सं. 228/27/2003-डीएसपीई (i)]

शुभा ठाकुर, अवर सचिव

[No. 228/27/2003-DSPE(i)]

SHUBHA THAKUR, Under Secy.

नई दिल्ली, 17 अप्रैल, 2003

का. आ. 1313.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार की अधिसूचना सं. एचडी 58 पीसीआर, 2003 दिनांक 3 अप्रैल, 2003 द्वारा प्राप्त कर्नाटक राज्य सरकार की सहमति से श्री ए.के. जुत्सी, निदेशक (वित्त) हिंदुस्तान एरोनाटिक्स लिमिटेड, बंगलौर और अन्यो के विरुद्ध भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का केन्द्रीय अधिनियम 49) की धारा 13(2) सपठित धारा 13 (1) (ई) के अधीन दंडनीय अपराधों और उपर्युक्त अपराधों में से एक अथवा अधिक से संबंधित अथवा संसक्त प्रयत्नों, दुष्प्रेरणों और षडयंत्रों तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध अथवा अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है।

[सं. 228/27/2003-डीएसपीई(ii)]

शुभा ठाकुर, अवर सचिव

New Delhi, the 17th April, 2003

S.O. 1313.—In exercise of the powers conferred by Sub-section (1) of Section 5, read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No.25 of 1946), the Central Government with the consent of the State Government of Karnataka vide Notification No. HD 58 PCR, 2003 dated 3rd April, 2003, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of offences against Shri A.K. Zutshi, Director (Finance), Hindustan Aeronautics Limited, Bangalore and others punishable under Section 13(2) read with 13(1)(e) of Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/27/2003-DSPE(ii)]

SHUBHA THAKUR, Under Secy.

नई दिल्ली, 17 अप्रैल, 2003

का. आ. 1314.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और सीआरएमसी 5483/2002 में माननीय उच्च न्यायालय उड़ीसा, कटक द्वारा पारित आदेश दिनांक 29-10-2002 के अनुसरण में आवश्यक वस्तु अधिनियम, 1955 की धारा 7 के अधीन खल्लीकोटे पुलिस स्टेशन,

जिला गंजम में दर्ज मामला सं. 30(9) दिनांक 23-03-2002 और उसी संव्यवहार के अनुक्रम में किए गए उन्हीं तथ्यों से उद्भूत उक्त अपराधों से संबंधित अथवा संसक्त प्रयत्न, दुष्प्रेरण और षडयंत्र के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण उड़ीसा राज्य पर करती है।

[सं. 228/26/2003-डी.एस.पी.ई.]

शुभा ठाकुर, अवर सचिव

New Delhi, the 17th April, 2003

S.O. 1314.—In exercise of the powers conferred by Sub-section (1) of Section 5 of the Delhi Special Police Establishment Act, 1946 (Act No.25 of 1946), the Central Government in pursuance of Order, dated 29-10-2002 passed by the Hon'ble High Court of Orissa, Cuttack, in CRMC 5483/2002, hereby extends the powers and Jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Orissa for investigation of Case No. 30(9) dated 23-3-2002 registered at Khallikote Police Station, District Ganjam under section 7 of Essential Commodities Act, 1955 and attempt, abetments and conspiracies in relation to or in connection with the said offences, committed in the course of the same transaction arising out of the same facts.

[No. 228/26/2003-DSPE]

SHUBHA THAKUR, Under Secy.

नई दिल्ली, 17 अप्रैल, 2003

का. आ. 1315.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार की अधिसूचना सं. एचडी 43 पीसीआर, 2003 दिनांक 10 मार्च, 2003 और शुद्धिपत्र दिनांक 22-03-2003 द्वारा प्राप्त कर्नाटक राज्य सरकार की सहमति से (1) श्री ए. वासुदेवन, सहायक महाप्रबंधक, सिंडीकेट बैंक, रोजनल कार्यालय, मैसूर (2) श्री के. एन. जी. राव, पूर्व प्रबंधक (क्रेडिट) सिंडीकेट बैंक, सदाशिव नगर शाखा, बंगलौर (3) श्री रघुपति, मुख्य प्रबंधक (आईटी), सिंडीकेट बैंक, का निगमित कार्यालय, बंगलौर (4) श्री पी. डी.एस.आर.वी. प्रसाद, प्रबंधक भागीदार, मैसर्स वैकटलक्ष्मी कंसट्रक्शन्स, निवासी फ्लैट नं. 201, विजय सदन, संजीव रेड्डी नगर, हैदराबाद (5) श्री एन. वैकटरमन रेड्डी, प्रबंधक (आईटी), सिंडीकेट बैंक, का निगमित कार्यालय, बंगलौर एवं किन्हीं अन्य लोक सेवकों अथवा व्यक्तियों के विरुद्ध भारतीय दंड संहिता 1860 की धारा 420, 468 और 471 तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का केन्द्रीय अधिनियम 49) की धारा 13 (2) सपठित धारा 13 (1) (डी) के अधीन दंडनीय अपराधों और उपर्युक्त अपराधों में से एक अथवा अधिक से संबंधित अथवा संसक्त प्रयत्नों, दुष्प्रेरणों और षडयंत्रों तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत

किसी अन्य अपराध अथवा अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है।

[सं. 228/25/2003-डी.एस.पी.ई.]

शुभा ठाकुर, अवर सचिव

New Delhi, the 17th April, 2003

S. O. 1315.—In exercise of the powers conferred by Sub-section (1) of Section 5, read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government, with the consent of the State Government of Karnataka, vide Notification No. HD 43 PCR, 2003 dated 10th March 2003 and Corrigendum dated 22-3-2003, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of offences against (1) Shri A. Vasudevan, Asstt. General Manager, Syndicate Bank, Regional Office, Mysore (2) Shri K.N.G. Rao, formerly Manager (Credit), Syndicate Bank, Sadashiva Nagar Branch, Bangalore (3) Shri R. Raghupathy, Chief Manager (IT), Corporate Office of Syndicate Bank, Bangalore (4) Shri P.D.S.R.V. Prasad, Managing Partner, M/s. Venkatalakshmi Constructions, R/o Flat No. 201, Vijay Sadan, Sanjeev Reddy Nagar, Hyderabad (5) Shri N. Venkataramana Reddy, Manager (IT), Corporate Office of Syndicate Bank, Bangalore and any other public servants or persons punishable under Section 420, 468 and 471 of the Indian Penal Code, 1860 and Section 13(2) read with 13(1)(d) of Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 225/25/2003-DSPE]

SHUBHA THAKUR, Under Secy.

नई दिल्ली, 17 अप्रैल, 2003

का. आ. 1316.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उड़ीसा राज्य सरकार, गृह विभाग की अधिसूचना सं. सीपी/पीसीएम-3/2001/1220 दिनांक 6 जनवरी, 2003 द्वारा प्राप्त उड़ीसा राज्य सरकार की सहमति से वर्ष 1995 से 2001 की अवधि के दौरान "सम्बलपुर टाउन के बाढ़ बांध-एवं-रिंग रोड-फास्ट फेज-रीच-II सब-रीच-III (आरसी 6 केएम से 7 केएम तक) के निर्माण" की निविदा और कार्यनिष्पादन के संबंध में भ्रष्टाचार निवारण अधिनियम, 1988 की धारा 13(2) सपठित धारा 13(1) (डी) और भारतीय दंड संहिता, 1860 की धारा 120-बी एवं 420 और

किसी अन्य कानून के अधीन दंडनीय अपराधों और उक्त अपराधों में से किसी एक अथवा अधिक से संबंधित अथवा संसक्त आपराधिक घंडयंत्र, प्रयत्न और दुष्प्रेरण तथा उसी संव्यवहार के अनुक्रम में किए गए किसी अन्य अपराध अथवा अपराधों और उन्हीं तथ्यों से उद्भूत किसी अन्य अपराधों अथवा इन्हीं अपराधों में से एक से संबंधित अपराध के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण उड़ीसा राज्य पर करती है।

[सं. 228/21/2003-डी.एस.पी.ई.(i)]

शुभा ठाकुर, अवर सचिव

New Delhi, the 17th April, 2003

S. O. 1316.—In exercise of the powers conferred by Sub-section (1) of Section 5, read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Orissa, Home Department accorded vide Notification No. CP/PCM-3/2001/1220 dated 6th January 2003, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Orissa for investigation of offences punishable under Section 13(2) read with 13(1)(d) of Prevention of Corruption Act, 1988 and Sections 120-B and 420 of the Indian Penal Code, 1860 and any other law and criminal conspiracy, attempt, abetment in relation to or in connection with one or more of the offences mentioned above and any other offence or offences committed in the course of same transaction and arising out of the same facts or in connection with one of the offences committed in respect of award of contract and execution of "Construction of Flood Embankment-cum-Ring Road of Sambalpur Town—1st Phase—Reach-II Sub-Reach-III (from RD 6 K.M. to 7 K.M.)" during the period from 1995 to 2001.

[No. 228/21/2003-DSPE(i)]

SHUBHA THAKUR, Under Secy.

नई दिल्ली, 17 अप्रैल, 2003

का. आ. 1317.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उड़ीसा राज्य सरकार, गृह विभाग की अधिसूचना सं. सीपी/पीसीएम-3/2001/1220 दिनांक 6 जनवरी, 2003 द्वारा प्राप्त उड़ीसा राज्य सरकार की सहमति से वर्ष 1995 से 2001 की अवधि के दौरान "सम्बलपुर टाउन के बाढ़ बांध-एवं-रिंग रोड-फास्ट फेज-रीच-II सब-रीच-I (आरसी 3.5 केएम से 7 केएम तक) के निर्माण" की निविदा और कार्यनिष्पादन के संबंध में भ्रष्टाचार निवारण अधिनियम, 1988 की धारा 13(2) सपठित धारा 13(1) (डी) और भारतीय दंड संहिता, 1860 की धारा 120-बी एवं 420 और किसी अन्य कानून के अधीन दंडनीय अपराधों और उक्त अपराधों में से

किसी एक अथवा अधिक से संबंधित अथवा संसक्त आपराधिक षड्यंत्र, प्रयत्न और दुष्प्रेरण तथा उसी संव्यवहार के अनुक्रम में किए गए किसी अन्य अपराध अथवा अपराधों और उन्हीं तथ्यों से उद्भूत किसी अन्य अपराधों अथवा इन्हीं अपराधों में से एक से संबंधित अपराध के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार संपूर्ण उड़ीसा राज्य पर करती है।

[सं. 228/21/2003-डी.एस.पी.ई.(ii)]

शुभा ठाकुर, अवर सचिव

New Delhi, the 17th April, 2003

S. O. 1317.—In exercise of the powers conferred by sub-section (1) of Section 5, read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of State Government of Orissa, Home Department accorded vide Notification No. CP/PCM-3/2001/1227 dated 6th January 2003, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Orissa for investigation of offences punishable under Section 13(2) read with 13(1)(d) of Prevention of Corruption Act, 1988 and Sections 120-B and 420 of the Indian Penal Code, 1860 and any other law and criminal conspiracy, attempt, abetment in relation to or in connection with one or more of the offences mentioned above and any other offence or offences committed in the course of same transaction and arising out of the same facts or in connection with one of the offences committed in respect of award of contract and execution of "Construction of Flood Embankment-cum-Ring Road of Sambalpur Town Sub-reach No. 1 of Reach-II of 1st Phase (RC 3.5 K.M. to 7 K.M.)" during the period from 1995 to 2001.

[No. 228/21/2003-DSPE(ii)]

SHUBHA THAKUR, Under Secy.

नई दिल्ली, 17 अप्रैल, 2003

का. आ. 1318.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उड़ीसा राज्य सरकार, गृह विभाग की अधिसूचना सं. सीपी/पीसीएम-3/2001/1233 दिनांक 6 जनवरी, 2003 द्वारा प्राप्त उड़ीसा राज्य सरकार की सहमति से वर्ष 1995 से 2001 की अवधि के दौरान "सम्बलपुर टाउन के बाढ़ बांध-एवं-रिंग रोड-फ्रेस्ट फेज-रीच-II सब-रीच-III (आरडी 5 केएम से 6 केएम तक) के निर्माण" की निविदा और कार्यनिष्पादन के संबंध में भ्रष्टाचार निवारण अधिनियम, 1988 की धारा 13(2) सपठित धारा 13(1) (डी) और भारतीय दंड संहिता, 1860 की धारा 120-बी एवं 420 और किसी अन्य कानून के अधीन दंडनीय अपराधों और उक्त अपराधों में से

किसी एक अथवा अधिक से संबंधित अथवा संसक्त आपराधिक षड्यंत्र, प्रयत्न और दुष्प्रेरण तथा उसी संव्यवहार के अनुक्रम में किए गए किसी अन्य अपराध अथवा अपराधों और उन्हीं तथ्यों से उद्भूत किसी अन्य अपराधों अथवा इन्हीं अपराधों में से एक से संबंधित अपराध के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार संपूर्ण उड़ीसा राज्य पर करती है।

[सं. 228/21/2003-डी.एस.पी.ई.(iii)]

शुभा ठाकुर, अवर सचिव

New Delhi, the 17th April, 2003

S. O. 1318.—In exercise of the powers conferred by sub-section (1) of Section 5, read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Orissa, Home Department accorded vide Notification No. CP/PCM-3/2001/1233/CP dated 6th January 2003, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Orissa for investigation of offences punishable under Section 13(2) read with 13(1)(d) of Prevention of Corruption Act, 1988 and Sections 120-B and 420 of the Indian Penal Code, 1860 and any other law and criminal conspiracy, attempt, abetment in relation to or in connection with one or more of the offences mentioned above and any other offence or offences committed in the course of same transaction and arising out of the same facts or in connection with one of the offences committed in respect of award of contract and execution of "Construction of Flood Embankment-cum-Ring Road of Sambalpur Town 1st Phase-Reach-II Sub-Reach-III (from RD 5 K.M. to 6 K.M.)" during the period from 1995 to 2001.

[No. 228/21/2003-DSPE(iii)]

SHUBHA THAKUR, Under Secy.

नई दिल्ली, 17 अप्रैल, 2003

का. आ. 1319.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उड़ीसा राज्य सरकार, गृह विभाग की अधिसूचना सं. सीपी/पीसीएम-3/2001/1239 दिनांक 6 जनवरी, 2003 द्वारा प्राप्त उड़ीसा राज्य सरकार की सहमति से वर्ष 1996 से 1999 की अवधि के दौरान "भुवनेश्वर में जल सम्पद भवन के निर्माण" की निविदा और कार्यनिष्पादन के संबंध में भ्रष्टाचार निवारण अधिनियम, 1988 की धारा 13(2) सपठित धारा 13(1)(डी) और भारतीय दंड संहिता, 1860 की धारा 120-बी एवं 420 और किसी अन्य कानून के अधीन दंडनीय अपराधों और उक्त अपराधों में से किसी एक अथवा अधिक से संबंधित अथवा संसक्त आपराधिक षड्यंत्र, प्रयत्न और दुष्प्रेरण

तथा उसी संव्यवहार के अनुक्रम में किए गए किसी अन्य अपराध अथवा अपराधों और उन्हीं तथ्यों से उद्भूत किसी अन्य अपराधों अथवा इन्हीं अपराधों में से एक से संबंधित अपराध के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार संपूर्ण उड़ीसा राज्य पर करती है।

[सं. 228/21/2003-डी.एस.पी.ई.- (iv)]

शुभा ठाकुर, अवर सचिव

New Delhi, the 17th April, 2003

S. O. 1319.—In exercise of the powers conferred by Sub-section (1) of Section 5, read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Orissa, Home Department accorded vide Notification No. CP/PCM-3/2001/1239/CP dated 6th January 2003, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Orissa for investigation of offences punishable under Section 13(2) read with 13(1)(d) of Prevention of Corruption Act, 1988 and Sections 120-B and 420 of the Indian Penal Code, 1860 and any other law and criminal conspiracy, attempts, abetment in relation to or in connection with one or more of the offences mentioned above and any other offence or offences committed in the course of same transaction and arising out of the same facts or in connection with one of the offences committed in respect of award of contract and execution of "Construction of Jalasampad Bhawan at Bhubaneswar" during the period from 1996 to 1999.

[No. 228/21/2003-DSPE(iv)]

SHUBHA THAKUR, Under Secy.

वित्त एवं कम्पनी कार्य मंत्रालय

(राजस्व विभाग)

आदेश

नई दिल्ली, 24 मार्च, 2003

स्टाम्प

का. आ. 1320.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा फाइव स्टार बिजनेस क्रेडिट लिमिटेड, चेन्नई को मात्र दो लाख पच्चीस हजार रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो उक्त कम्पनी द्वारा जारी किए जाने वाले मात्र तीन करोड़ रुपये के समग्र मूल्य के प्रत्येक एक सौ रुपये के 14 प्रतिशत सुरक्षित विमोच्य अपरिवर्तनीय ऋण पत्रों के रूप में वर्णित बंधपत्रों पर स्टाम्प शुल्क के कारण प्रभावी है।

[सं. 7/2003-स्टाम्प/फा. सं. 33/71/2001-बि.क.]

आर. जी. छाबड़ा, अवर सचिव

MINISTRY OF FINANCE AND COMPANY AFFAIRS
(Department of Revenue)

ORDER

New Delhi, the 24th March, 2003

STAMPS

S. O. 1320.—In exercise of the powers conferred by clause (b) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits Five Star Business Credits Limited, Chennai to pay consolidated stamp duty of rupees two lakh twenty five thousand only chargeable on account of the stamp duty on bonds described as 14% Secured Redeemable Non Convertible Debentures of rupees one hundred each aggregating to rupees three crore only, to be issued by the said Company.

[No. 7/2003-STAMP/F. No. 33/71/2001-ST]

R. G. CHHABRA, Under Secy.

आदेश

नई दिल्ली, 25 मार्च, 2003

स्टाम्प

का. आ. 1321.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इंडियन रिन्यूएबल एनर्जी डेवलपमेंट एजेंसी लिमिटेड, नई दिल्ली को मात्र सैंतीस लाख पचास हजार रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो उक्त कम्पनी द्वारा जारी किए जाने वाले मात्र पचास करोड़ रुपये के समग्र मूल्य के ऋण पत्रों के स्वरूप वाले 00001 से 500000 तक की विशिष्ट संख्या वाले 6 प्रतिशत कर-मुक्त सुरक्षित विमोच्य अपरिवर्तनीय एनर्जी बंधपत्रों-शृंखला X (2002-03) पर स्टाम्प शुल्क के कारण प्रभावी है।

[सं. 8/2003-स्टाम्प/फा. सं. 33/5/2003-बि.क.]

आर. जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 25th March, 2003

STAMPS

S. O. 1321.—In exercise of the powers conferred by clause (b) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits Indian Renewable Energy Development Agency Limited, New Delhi to pay consolidated stamp duty of rupees thirty seven lakh fifty thousand only chargeable on account of the stamp duty on 6% tax-free secured redeemable non-convertible Energy Bonds-Series X (2002-03) bearing distinctive numbers from 00001 to 500000 in the nature of Debentures aggregating to rupees fifty crore only, to be issued by the said Company.

[No. 8/2003-STAMP/F. No. 33/5/2003-ST]

R. G. CHHABRA, Under Secy.

आदेश

नई दिल्ली, 25 मार्च, 2003

स्टाम्प

का. आ. 1322.— भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा आन्ध्र प्रदेश पावर फाइनेंस कॉर्पोरेशन लिमिटेड, हैदराबाद को मात्र पांच करोड़ चौबीस लाख पचपन हजार रुपए का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो उक्त कॉर्पोरेशन द्वारा जारी किए जाने वाले मात्र छह सौ निम्नानुबन्धित करोड़ चालीस लाख रुपए के समग्र मूल्य के ऋणपत्रों के स्वरूप वाले असुरक्षित अपरिवर्तनीय विमोच्य पॉवर बंधपत्रों (शृंखला II/2002 एवं शृंखला III/2002) पर स्टाम्प शुल्क के कारण प्रभाय है।

[सं. 12/2003-स्टाम्प/फा. सं. 33/12/2003-बि.क.]

आर. जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 25th March, 2003

STAMPS

S. O. 1322.— In exercise of the powers conferred by clause (b) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits Andhra Pradesh Power Finance Corporation Limited, Hyderabad to pay consolidated stamp duty of rupees five crore twenty four lakh fifty five thousand only on account of the stamp duty on Unsecured Non-Convertible Redeemable Power Bonds (Series II/2002 and Series III/2002) in the nature of debentures aggregating to rupees six hundred ninety nine crore fourty lakh only, to be issued by the said Corporation.

[No. 12/2003-STAMP/F. No. 33/12/2003-ST]

R. G. CHHABRA, Under Secy.

आदेश

नई दिल्ली, 25 मार्च, 2003

स्टाम्प

का. आ. 1323.— भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा साऊथ इंडियन बैंक लिमिटेड, नई दिल्ली को मात्र पच्चीस लाख रुपए का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो उक्त बैंक द्वारा जारी किए जाने वाले मात्र पच्चीस करोड़ रुपए के समग्र मूल्य के पच्चीस-पच्चीस लाख रुपये प्रत्येक के प्रोमिसरी नोटों के स्वरूप वाले असुरक्षित अपरिवर्तनीय बंधपत्रों पर स्टाम्प शुल्क के कारण प्रभाय है।

[सं. 11/2003-स्टाम्प/फा. सं. 33/11/2003-बि.क.]

आर. जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 25th March, 2003

STAMPS

S. O. 1323.— In exercise of the powers conferred by clause (b) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits the South Indian Bank Limited, New Delhi to pay consolidated stamp duty of rupees twenty five lakh only chargeable on account of the stamp duty on unsecured non-convertible bonds in the nature of promissory notes of rupees twenty five lakh each aggregating to rupees twenty five crore only, to be issued by the said Bank.

[No. 11/2003-STAMP/F. No. 33/11/2003-ST]

R. G. CHHABRA, Under Secy.

आदेश

नई दिल्ली, 27 मार्च, 2003

स्टाम्प

का. आ. 1324.— भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा महाराष्ट्र स्टेट फाइनेंसियल कॉर्पोरेशन, मुम्बई को मात्र तीन लाख छियासी हजार दो सौ पचास रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो उक्त कॉर्पोरेशन द्वारा जारी किए जाने वाले मात्र पांच करोड़ पन्द्रह लाख रुपये के समग्र मूल्य के ऋणपत्रों के स्वरूप वाले 8 प्रतिशत एमएसएफसी बंधपत्रों 2012 (80वीं शृंखला) पर स्टाम्प शुल्क के कारण प्रभाय है।

[सं. 5/2003-स्टाम्प/फा. सं. 33/6/2003-बि.क.]

आर. जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 27th March, 2003

STAMPS

S. O. 1324.— In exercise of the powers conferred by clause (b) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits Maharashtra State Financial Corporation, Mumbai to pay consolidated stamp duty of rupees three lakh eighty six thousand two hundred fifty only chargeable on account of the stamp duty on 8% MSFC BONDS 2012 (80th Series) in the nature of Debentures aggregating to rupees five crore fifteen lakh only, to be issued by the said Corporation.

[No. 5/2003-STAMP/F. No. 33/6/2003-ST]

R. G. CHHABRA, Under Secy.

आदेश

नई दिल्ली, 27 मार्च, 2003

स्टाम्प

का. आ. 1325.— भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा यूको बैंक, कोलकाता को मात्र एक करोड़ सत्रह लाख साठ हजार रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो उक्त बैंक द्वारा जारी किए जाने वाले मात्र एक सौ पचास करोड़ रुपये के समग्र मूल्य के प्रेमिसरी नोटों के स्वरूप वाले असुरक्षित विमोच्य गौण निजी तौर पर आवंटित किए गए बंधपत्रों (शृंखला-III) पर स्टाम्प शुल्क के कारण प्रभाय है।

[सं. 9/2003-स्टाम्प/फा. सं. 33/7/2003-बि.क.]

आर. जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 27th March, 2003

STAMPS

S. O. 1325.—In exercise of the powers conferred by clause (b) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits UCO Bank, Calcutta to pay consolidated stamp duty of rupees one crore seventeen lakh sixty thousand only chargeable on account of the stamp duty on Unsecured Redeemable Subordinated Privately Placed Bonds (Series-III) in the nature of Promissory Notes aggregating to rupees one hundred fifty crore only, to be issued by the said Bank.

[No. 9/2003-STAMP/F. No. 33/7/2003-ST]

R. G. CHHABRA, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 16 अप्रैल, 2003

का. आ. 1326.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10 (23-छ) के प्रयोजनार्थ कर निर्धारण वर्ष 2001-02, 2002-03 और 2003-2004 तक के लिए नीचे पैरा 3 में उल्लिखित उद्यमों/औद्योगिक उपक्रम को अनुमोदित करती है।

2. यह अनुमोदन इस शर्त के अधीन है कि:—

- (i) उद्यम/औद्योगिक उपक्रम आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23-छ) के उपबंधों के अनुरूप होगा और उनका अनुपालन करेगा,

(ii) केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि उद्यम:—

(क) अवसंरचनात्मक सुविधा को जारी रखना बंद कर देता है, और

(ख) खाता बहियों का रख-रखाव नहीं करता है तथा आयकर नियमावली, 1962 के नियम 2ड के उप नियम (7) द्वारा यथा अपेक्षित किसी लेखाकार द्वारा ऐसे खातों की लेखा परीक्षा नहीं कराता है, अथवा

(ग) आयकर नियमावली, 1962 के नियम 2ड के उप नियम (7) द्वारा यथा अपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है।

3. अनुमोदित उद्यम/ औद्योगिक उपक्रम है:—

मैसर्स काकिनाडा सी-पोर्ट्स लि. (पूर्व कोकानाडा पोर्ट कम्पनी प्राइवेट लिमिटेड), ईस्ट इंडिया चैम्बर्स, तीसरा तल- 3, विलेज रोड, नन्नामबक्कम्, चैन्नई- 600034, को आन्ध्र प्रदेश में काकिनाडा पत्तन पर बाद में जोड़ी जाने वाली एक चौथी बर्थ के निर्माण, संचालन और प्रबंधन के साथ-साथ तीन मौजूदा बर्थों के संचालन और प्रबंधन की उनकी परियोजना के लिए।

[अधिसूचना संख्या 82/2003/फा.सं. 205/37/2000-आयकर नि.-II]

संगीता गुप्ता, निदेशक (आयकर नि.-II)

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 16th April, 2003

S. O. 1326.—It is notified for general information that enterprise/industrial undertaking, listed at para (3) below has been approved by the Central Government for the purpose of section 10 (23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2001-02, 2002-03 and 2003-04.

2. The approval is subject to the condition that—

- (i) The enterprise/industrial undertaking will conform to and comply with the provisions of section 10 (23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;

- (ii) The Central Government shall withdraw this approval if the enterprise/industrial undertaking:—

- (a) ceases to carry on infrastructure facility; or
- (b) fails to maintain books of account and get such accounts audited by an accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or
- (c) fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprise/industrial undertaking approved is—

M/s Kakinada Seaports Ltd. (formerly Cocanda Port Company Private Limited), East India Chambers, 3rd Floor, 3, Village Road, Nungambakkam, Chennai- 600034 for their project of operation and management of three existing berths along with the construction, operation and management of a fourth berth to be added later at Kakinda Port in Andhra Pradesh. (F.No. 205/37/2000-ITA-II)

[Notification No. 82/2003/F.No. 205/37/2000-ITA-II]

SANGEETA GUPTA, Director (ITA-II)

नई दिल्ली, 16 अप्रैल, 2003

का. आ. 1327.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10 (23-छ) के प्रयोजनार्थ कर निर्धारण वर्ष 2001-02, 2002-03 और 2003-2004 के लिए नीचे पैरा 3 में उल्लिखित उद्यमों/औद्योगिक उपक्रम को अनुमोदित करती है।

2. यह अनुमोदन इस शर्त के अधीन है कि:—

(i) उद्यम/औद्योगिक उपक्रम आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23-छ) के उपबंधों के अनुरूप होगा और उनका अनुपालन करेगा,

(ii) केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि उद्यम/औद्योगिक उपक्रम :—

(क) अवसंरचनात्मक सुविधा को जारी रखना बंद कर देता है, और

(ख) खाता बहियों का रख-रखाव नहीं करता है तथा आयकर नियमावली, 1962 के नियम 2ड के उप नियम (7) द्वारा यथा अपेक्षित किसी लेखाकार द्वारा ऐसे खातों की लेखा परीक्षा नहीं कराता है, अथवा

(ग) आयकर नियमावली, 1962 के नियम 2ड के उप नियम (7) द्वारा यथा अपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है।

3. अनुमोदित उद्यम/ औद्योगिक उपक्रम है:—

मैसर्स भारती मोबाइल लि० कुतुब ऐम्बियन्स, महारौली रोड, नई दिल्ली-110030 (पूर्व मैसर्स जे टी मोबाइल लि०, बंगलौर) को लाइसेंस करार सं० एन ओ एस- 842-52(ए)/95/वी ए एस (आंध्र परिमंडल) दिनांक 22-12-95 तथा 842-52 (बी)/वी ए एस (कर्नाटक परिमंडल) दिनांक 18-10-96 के अनुसार आंध्र प्रदेश एवं कर्नाटक राज्य में सेल्युलर सेवाओं को प्रदान करने वाली उनकी परियोजना हेतु। (फा. सं. 205/6/2000-आयकर नि०-II)

[अधिसूचना संख्या 83/2003/फा.सं. 205/6/2000-आयकर नि-II]

संगीता गुप्ता, निदेशक (आयकर नि-II)

New Delhi, the 16th April, 2003

S. O. 1327.—It is notified for general information that enterprise/industrial undertaking, listed at para (3) below has been approved by the Central Government for the purpose of section 10 (23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2001-02, 2002-03 and 2003-04.

2. The approval is subject to the condition that —

(i) The enterprise/industrial undertaking will conform to and comply with the provisions of section 10 (23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;

(ii) The Central Government shall withdraw this approval if the enterprise/industrial undertaking:—

(a) ceases to carry on infrastructure facility; or

(b) fails to maintain books of account and get such accounts audited by an accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or

(c) fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprise/industrial undertaking approved is :—

M/s Bharti Mobile Ltd. Qutab Ambience, Mehrauli Road, New Delhi-110030 (Formerly M/s J.T Mobile Ltd., Bangalore) for their project of providing cellular services in the State of Andhra Pradesh and Karnataka as per license agreement Nos. 842-52 (A)/95/VAS (Andhra Circle) dated 22-12-95 and 842-53(B)/96/VAS (Karnataka Circle) dated 18-10-96 (F.No. 205/6/2000/ITA-II)

[Notification No. 83/2003/F.No. 205/6/2000-ITA-II]

SANGEETA GUPTA, Director (ITA-II).

नई दिल्ली, 16 अप्रैल, 2003

का. आ. 1328.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10 (23-छ) के प्रयोजनार्थ कर निर्धारण वर्ष 2002-2003, 2003-2004 तथा 2004-2005 के लिए नीचे पैरा 3 में उल्लिखित उद्यमों/औद्योगिक उपक्रम को अनुमोदित करती है।

2. यह अनुमोदन इस शर्त के अधीन है :—

(i) उद्यम/औद्योगिक उपक्रम आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23-छ) के उपबंधों के अनुरूप होगा और उनका अनुपालन करेगा,

(ii) केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि उद्यम :—

(क) अवसंरचनात्मक सुविधा को जारी रखना बंद कर देता है, और

(ख) खाता बहियों का रख-रखाव नहीं करता है और आयकर नियमावली, 1962 के नियम 2ड के उप नियम (7) द्वारा यथा अपेक्षित किसी लेखाकार द्वारा ऐसे खातों की लेखा परीक्षा नहीं कराता है, अथवा

(ग) आयकर नियमावली, 1962 के नियम 2ड में उप नियम (7) द्वारा यथा अपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है।

3. अनुमोदित उद्यम/ औद्योगिक उपक्रम है:—

मैसर्स न्यू तिरुपुर एरिया डेवलपमेंट कारपोरेशन लि० 85 सांथोम हाई रोड, चेन्नई 600028 को बी ओ टी आधार पर (क) रास्ते के किनारे वाले गांव को पेय जल की आपूर्ति (ख) घरेलू एवं गैर घरेलू कार्य के लिए टी एम को पेय जल की आपूर्ति, (ग) टी एम के भीतर अल्पलागत की स्वच्छता सुविधाओं सहित टी एम से मल की निकासी, उपचार एवं व्ययन तथा (घ) सेवा क्षेत्र में उद्योगों को पेय जल की आपूर्ति वाली 185 एम एल डी स्वीकृत जल आपूर्ति एवं मल व्ययन परियोजना के विकास की परियोजना हेतु। (फा. सं. 205/152/1999-आई टी ए-II)

[अधिसूचना संख्या 84/2003/फा.सं. 205/152/1999-आयकर नि.-II]

संगीता गुप्ता, निदेशक (आयकर नि. II)

New Delhi, the 16th April, 2003

S. O. 1328.—It is notified for general information that enterprise/industrial undertaking, listed at para (3) below has been approved by the Central Government for the purpose of section 10 (23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2002-2003, 2003-2004 and 2004-2005.

2. The approval is subject to the condition that—

(i) The enterprise/industrial undertaking will conform to and comply with the provisions of section 10 (23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;

(ii) The Central Government shall withdraw this approval if the enterprise/industrial undertaking:—

- (a) ceases to carry on infrastructure facility; or
- (b) fails to maintain books of account and get such accounts audited by an accountant as required

by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or

(c) fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprise/industrial undertaking approved is—

M/s. New Tirupur Area Development Corporation Ltd. 85, Santhome High Road, Chennai 600028 for their project of development of 185 MLD integrated water supply and sewage project involving (a) supply of potable water to wayside village, (b) supply of potable water to TM for domestic and non-domestic purpose, (c) Offtake, treatment and disposal of sewage from TM, including low cost sanitation facilities within TM and (d) supply of potable water to industries in the service area on BOT basis. (F.No. 205/152/1999-ITA-II)

[Notification No. 84/2003/F.No. 205/152/1999-ITA.II]

SANGEETA GUPTA, Director (ITA. II).

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 17 अप्रैल, 2003

क्रा. सं. 1329.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 2004 तक विरुधुनगर जिला मध्यवर्ती सहकारी बैंक लि० विरुधुनगर (तमिलनाडु) पर लागू नहीं होंगे।

[फा.सं. 1(15)/2003-एसी]

मंगल मराण्डी, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 17th April, 2003

S. O. 1329.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on recommendation of the Reserve Bank of India declares that the provisions of Sub-section (I) of Section 11 of the said Act shall not apply to the Virudhunagar District Central Co-operative Bank Ltd. Virudhunagar (Tamil Nadu) from

the date of publication of this notification in the Official Gazette to 31 March, 2004.

[F.No. 1(15)/2003-AC]

MANGAL MARNDI, Under Secy.

नई दिल्ली, 17 अप्रैल, 2003

का. आ. 1330.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 2004 तक जिला सहकारी केन्द्रीय बैंक मर्यादित, टीकमगढ़ (म०प्र०) पर लागू नहीं होंगे।

[फा.सं. 1(16)/2003- एसी]

मंगल मराण्डी, अवर सचिव

New Delhi, the 17th April, 2003

S. O. 1330.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on recommendation of the Reserve Bank of India declares that the provisions of sub-section (1) of Section 11 of the said Act shall not apply to Jila Sahakari Kendriya Bank Maryadit, Tikamgarh (M.P.) from the date of publication of this notification in the Official Gazette to 31 March, 2004.

[F.No. 1(16)/2003-AC]

MANGAL MARNDI, Under Secy.

रसायन और उर्वरक मंत्रालय

(रसायन और पेट्रो-रसायन विभाग)

नई दिल्ली, 16 अप्रैल, 2003

का. आ. 1331—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजन के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में रसायन और उर्वरक मंत्रालय, रसायन और पेट्रो-रसायन विभाग के नियंत्रणाधीन 'क' क्षेत्र में स्थित निम्नलिखित कार्यालय को, जिसके 80% कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

राष्ट्रीय औषध मूल्य निर्धारण प्राधिकरण,
2 ई/21, झंडेवालान एक्सटेंशन, लिंक रोड,
नई दिल्ली-110055

[संख्या ई-11012/1/2002-हिन्दी]

प्रवीण कुमार तेजयान, निदेशक

MINISTRY OF CHEMICALS AND FERTILIZERS

(Department of Chemicals and Petrochemicals)

New Delhi, the 16th April, 2003

S. O. 1331.—In Pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notify the following office in region 'A' under the administrative control of Ministry of Chemicals and Fertilizers, Department of Chemicals and Petrochemicals, the 80% staff whereof have acquired the working knowledge of Hindi :—

National Pharmaceuticals Pricing Authority,
2E/21, Jhandewalan Extension, Link Road,
New Delhi-110055.

[No. E-11012/1/2002-Hindi]

P.K. TEJYAN, Director

नागर विमानन मंत्रालय

नई दिल्ली, 9 अप्रैल, 2003

का. आ. 1332.—केन्द्र सरकार, भारतीय विमानपत्तन प्राधिकरण अधिनियम, 1994 (1994 की सं. 55) के खंड 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री एस.के. नरुला, सदस्य (कार्मिक तथा प्रशासन), भारतीय विमानपत्तन प्राधिकरण का कार्यकाल 25 अगस्त, 2002 से 31 जनवरी, 2004, अर्थात् 60 वर्ष की आयु होने पर उनकी सेवानिवृत्ति की तिथि तक अथवा अगले आदेश होने तक जो भी पहले हो, बढ़ाती है।

[सं.ए.पी. 24011/021/2001-एएआई]

के. रामकृष्णन, अवर सचिव

MINISTRY OF CIVIL AVIATION

New Delhi, the 9th April, 2003

S. O. 1332.—In exercise of the powers conferred by Section 3 of the Airports Authority of India Act, 1994 (No. 55 of 1994) the Central Government hereby extends the tenure of Shri S.K. Narula, Member (Personnel and Administration) Airports Authority of India beyond 25th August, 2002 to 31st January, 2004, i.e. the date of his superannuation on attaining the age of 60 years or until further orders, whichever event occurs earlier.

[No. AV-24011/021/2001-AAI]

K. RAMAKRISHNAN, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 21 अप्रैल, 2003

का. आ. 1333.—केन्द्र सरकार ने भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (क) के अनुसरण में और हरियाणा सरकार से परामर्श करके डा. ओ.एन. नागी, विकलांग शल्य चिकित्सा के प्रो. तथा विभागाध्यक्ष, स्नातकोत्तर चिकित्सा शिक्षा व अनुसंधान संस्थान, चंडीगढ़ को इस अधिसूचना के जारी होने की तारीख से भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में मनोनीत किया है।

अतः अब, उक्त अधिनियम की धारा 3 की उपधारा (1) के उपबंध के अनुसरण में केन्द्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का.आ. 138 में निम्नलिखित और संशोधन करती है अर्थात् :—

उक्त अधिसूचना में 'धारा 3 की उपधारा (1) के खण्ड (क) के अधीन मनोनीत' शीर्षक के अन्तर्गत क्रम संख्या 16 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात् :—

“16. डा. ओ. एन. नागी, हरियाणा सरकार”
1027, सेक्टर-24-बी,
चंडीगढ़-160023

[संख्या वी-11013/1/2003-एम ई (नीति-1)]

पी.जी. कलाधरण, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 21st April, 2003

S. O. 1333.—Where as the Central Government, in pursuance of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and in consultation with the Government of Haryana have nominated Dr. O.N. Nagi, Prof. & Head of Orthopaedic Surgery, P.G.I.M.E.R, Chandigarh to be a member of the Medical Council of India with effect from the date of issue of this notification.

Now, therefore, in pursuance of the provision of sub-section (1) of section 3 of the said Act, the Central

Government hereby makes the following further amendment in the notification of the Government of India in the then Ministry of Health, number S.O. 138, dated the 9th January, 1960, namely;

In the said notification under the heading, 'Nominated under clause (a)' of Sub-section (1) of Section 3, for serial number 16 and the entries relating thereto, the following serial number and entries shall be substituted, namely :—

“16. Dr. O.N. Nagi, Government of Haryana”
1027, Sector 24-B,
Chandigarh-160023

[No. V-11013/1/2003-ME (Policy-I)]

P. G. KALADHARAN, Under Secy.

शहरी विकास और गरीबी उपशमन मंत्रालय

नई दिल्ली, 25 अप्रैल, 2003

का. आ. 1334—भारत सरकार एतद्वारा शहरी विकास और गरीबी उपशमन मंत्रालय के प्रशासनिक नियंत्रण में संपदा निदेशालय के निम्नलिखित कार्यालय को, जहां 80 प्रतिशत से अधिक अधिकारियों/कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, राजभाषा (संघ के शासकीय प्रयोजनों के लिये प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अंतर्गत अधिसूचित करती है :—

सहायक संपदा प्रबंधक कार्यालय, गाजियाबाद

[सं. ई-11014/4/2000-हिन्दी]

एम. राजामणि, संयुक्त सचिव

MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION

New Delhi, the 25th April, 2003

S. O. 1334.—The Government of India in pursuance of sub rule (4) of Rule 10 of the Official Language (Use for the Official purposes of the Union) Rules, 1976 hereby notifies the following office under the administrative control of the Ministry of Urban Development and Poverty Alleviation, where more than 80% of staff have acquired working knowledge in Hindi :—

Office of Asst. Estate Manager, Ghaziabad

[No. E-11014/4/2000-Hindi]

M. RAJAMANI, Jt. Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 17 अप्रैल, 2003

का.आ. 1335.— भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :—

अनुसूची

क्रम लाइसेंस सं. संख्या	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंस धारी का नाम व पता	भारतीय मानक का शीर्षक	भा मा संख्या	भाग अनु. वर्ष
(1) (2)	(3)	(4)	(5)	(6)	
1. 9246582	2000/05	शक्ति एग्रो केमीकल्स (इंडिया) 1. त्यागी मार्किट चौक, तारी खाना कोर्ट, मुरादाबाद (यू पी) 244 001	इंडोसल्फान ई सी	04323	80
2. 9246683	2000/05	शक्ति एग्रो केमीकल्स (इंडिया), 1. त्यागी मार्किट चौक, तारी खाना कोर्ट, मुरादाबाद (यू पी) 244 001	ब्यूटाक्लोर ई सी	09356	80
3. 9246784	2000/05	अशोका कोल्ड स्टोरेज, बिलासपुर बाई पास रोड, जगादरी	सामान्य प्रयोजन हेतु प्लाईवुड	00303	89
4. 9246885	2000/04	एम.के. पेट्रोल प्रॉडक्ट्स, (प्रा) लि., गांव सोफता, हरफरी तहसील पलवल, फरीदाबाद	बिंदुमन-पहले लगाया जाने वाला	03384	86
5. 9246986	2000/04	चन्द्र सागर टिम्बर प्रॉडक्ट्स, महामति बारा गाँव, करनाल	परतचढ़ी सजावटी प्लाईवुड	01328	96
6. 9247079	2000/05	क्रॉप केमीकल्स (इंडिया), सी " 63 सेय 65 इंड. एरिया, कोटकपूरा-151 204	एट्राजिन डब्ल्यू पी	12931	90
7. 9247180	2000/04	जय श्री एग्रो इंड. लि., जी.टी. करनाल रोड़, गाँव नलथूपुर, सोनीपत (हरियाणा) 131 029	मैटोक्सरॉन डब्ल्यू पी	11063	84
8. 9247281	2000/05	जय श्री एग्रो इंड. लि., जी.टी. करनाल रोड़, गाँव नलथूपुर, सोनीपत (हरियाणा) 131 029	कीटनाशक-मैट्रीबिजिन डब्ल्यू पी	13333	92

(1)	(2)	(3)	(4)	(5)	(6)
9.	9247382	2000/05	भारत फर्टिलाइजर्स मैनु. क., बी-9 फोकल प्वाइंट कोटकपूरा 151 204.	जिंक सल्फेट हैप्टरहाईड्रेट कृषि ग्रेड 08219	94
10.	9247483	2000/05	खैबर इंडस्ट्रीज (प्रा) लि., गाँव तुलपोव खुमोह, श्रीनगर 190 001	53 ग्रेड साधारण पोर्टलैंड सीमेंट 12269	89
11.	9247584	2000/05	गोयल वुड प्रॉडक्ट्स, गाँव नन्दोली सहारनपुर रोड, यमुना नगर	सामान्य प्रयोजन हेतु प्लाईवुड 00303	89
12.	9247685	2000/05	शंकर इंडस्ट्रीज, गाँव पात्ती पी ओ तरोड, तह : साम्बा, 22वाँ किमी पत्थर जम्मू पठानकोट रोड जम्मू	पोर्टलैंड पोजोलाना सीमेंट 01489	02 91
13.	9247786	2000/04	कृषि रसायन एक्सपोर्ट्स (प्रा) लि., प्लॉट नं.-168 और 170 इंड. एरिया, बढ़ी सोलन-	कीटनाशक-मैट्रीबिज़िन डब्ल्यू पी 13333	92
14.	9247887	2000/05	नॉर्दन सीमेंट एण्ड कंस्ट्रक्शन (प्रा) लि., गाँव आलमवाला तहसील बाघा पुराना मोगा	43 ग्रेड साधारण पोर्टलैंड सीमेंट 08112	89
15.	9247988	2000/05	के के मेटल वर्क्स, 18, संताखपुरा, गली नं. 2, पीछे-विद्युत शिकायत ऑफिस होशियारपुर रोड जालंधर- 144 004	जल कल प्रयोजन के लिए ताम्बा मिश्रधातु के गेट ग्लोब और चेक वाल्व 00778	84
16.	9248081	2000/05	क्रोप केमीकल्स (इंडिया) सी-63 से 65 इंड. एरिया, कोटकपूरा 151204	फेनवेलरेट ई सी 11997	87
17.	9248182	2000/05	इराकेम लि., सी-5 यूपीएस आईडीसी इंडस्ट्रियल एरिया, गजरौला ज्योतिबा फूले	गंधक का भुरकन चूर्ण 06444	79
18.	9248283	2000/05	माकेन सीमेंट इंड., 9-10 इंडस्ट्रियल एस्टेट एक्सटें., कटुआ 184 102	पोर्टलैंड धातुमल सीमेंट 00455	89
19.	9248384	2000/05	ईशान इंडस्ट्रीज, गाँव जौरियान रदौर रोड, यमुना नगर-	ब्लॉक बोर्ड 01659	90

(1)	(2)	(3)	(4)	(5)	(6)		(6)
20.	9248485	2000/05	ईशान इंडस्ट्रीज, गाँव जौरियान रदौर रोड, यमुना नगर-	सामान्य प्रयोजन हेतु प्लाईवुड	00303		89
21.	9248586	2000/05	हारून सीमेंट फैक्टरी (प्रा) लि., लार, गन्डेरबल, श्रीनगर-	53 ग्रेड साधारण पोर्टलैंड सीमेंट	12269		89
22.	9248687	2000/05	चन्द्र सागर टिम्बर प्रॉडक्ट्स, महाँमति बाडागाँव, करनाल	सामान्य प्रयोजन हेतु प्लाईवुड	00303		89
23.	9248788	2000/05	हरियाणा इंडस्ट्रीज, खजूरी रोड, यमुना नगर	सामान्य प्रयोजन हेतु प्लाईवुड	00303		89
24.	9248889	2000/05	हरियाणा इंडस्ट्रीज, खजूरी रोड, यमुना नगर	ब्लॉक बोर्ड	01659		90
25.	9248990	2000/05	कृषि रसायन एक्सपोर्ट्स (प्रा) लि., प्लॉट नं. 168, 170 इंड. एरिया, बद्दी सोलन-	ईशियॉन ई सी	10319		92
26.	9249083	2000/05	ऑबेराय वुड इंडस्ट्रीज एम-15 इंडस्ट्रियल एरिया, यमुना नगर	ब्लॉक बोर्ड	01659		90
27.	9249184	2000/05	सिंघल पेस्टीसाइड्स, 9/122 मोतीबाग जमुनापार, आगरा-282006	ब्यूटाक्लोर ई सी	09356		80
28.	9249285	2000/05	त्रिशूल इंटरप्राइजिज प्रा.लि.	पोर्टलैंड पोजालाना सीमेंट	01489	02	91
29.	9249386	2000/05	न्यू सेन्चुरी सीमेंट कं., रूरल फोकल प्वाइंट गाँव पथराला, भटिण्डा	43 ग्रेड साधारण पोर्टलैंड सीमेंट	08112		89
30.	9249487	2000/05	क्वालिटी डेयरी (इंडिया) लि., गाँव सोफता तहसील पलवल, फरीदाबाद-	मलाई युक्त दूध पाउडर	13334	01	98
31.	9249588	2000/05	आर एम प्लाईवुड इंड. प्रा.लि., गाँव तितोली जिन्द रोड, रोहतक-	सामान्य प्रयोजन हेतु प्लाईवुड	00303		89
32.	9249689	2000/05	आर एम प्लाईवुड इंड. प्रा.लि., गाँव तितोली जिन्द रोड, रोहतक-	ब्लॉक बोर्ड	01659		90
33.	9249790	2000/05	हिमालयन प्लास्टिक प्रा.लि. 9 इंडस्ट्रियल एस्टेट, चम्बाघाट, सोलन-	सिंचाई उपस्कर-लेटरल्स	12786		89
34.	9249891	2000/05	अनिल प्लाई बोर्ड, गाँव बारनई अखनूर रोड, जम्मु तवी	लकड़ी के सपाट दरवाजे के शटर (ठोस कोर प्रकार) भाग 1 प्लाईवुड सहयुक्त पल्ले	02202	01	91

(1)	(2)	(3)	(4)	(5)	(6)
35.	9249992	2000/05	विश्वनाथ आयरन एण्ड स्टील रि-रोलिंग मिल्स, जी.टी.रोड (सरहिन्द साइड) मण्डी गोविन्दगढ़ 147 301	वैलिट टयूब और पाइपों के लिए तप्त वैलित पत्तियां 10748	95
36.	9250068	2000/05	स्वास्तिक पोलीस्टील प्रा. लि., गाँव जटोली पी.ओ. डाचघाट, सोलन-	जस्तीकृत इस्पात की शृंखला नुमा बाड़ पर लगाने की जाली 02721	79
37.	9250169	2000/05	हरियाणा प्लाईवुड इंड. (प्रा.) लि., 33 किमी स्टोन जी टी करनाल रोड, पी ओ कुण्डली, सोनीपत-	सामान्य प्रयोजन हेतु प्लाईवुड 00303	89
38.	9250270	2000/05	मोतीलाल पेस्टीसाइडस (इंडिया) प्रा. लि., मसानी, मथुरा-	साइपरमेथ्रिन ई सी 12016	87
39.	9250371	2000/05	एक्यूरेट इंजीनियरिंग वर्क्स, स्ट्रीट, नं. 3 डूगरी रोड समीप केकल ब्रिज, लुधियाना-141 002	फसल संरक्षण उपस्कर हस्तचालित पीठ पर लादा जाने वाला संपीडन फुहारा, पिस्टन टाइप 3906	95
40.	9250472	2000/05	वेद प्रकाश मिश्र एण्ड संस डब्ल्यू-9 इंडस्ट्रियल एरिया, यमुनानगर-	सामान्य प्रयोजन हेतु प्लाईवुड 00303	89
41.	9250573	2000/05	सचदेवा मेटल वर्क्स, सी-33, फोकट प्वाइंट एक्सटेंशन जालंधर-144 001	जल गैस, सीवर के लिए क्षैतिज ढले लोहे के दोहरे फ्लेंज युक्त पाइप 07181	86
42.	9250674	2000/06	पी सी वायर, वीपीओ सूरजपुर मोहल्ली तहसील इंदौर, काँगरा-	सामान्य इंजीनियरिंग प्रयोजन के लिए मृदु इस्पात की तार 00280	78
43.	9250775	2000/05	जसमीत ऑटो (प्रा) लि., 2216, मॉडर्न इंडस्ट्रियल एस्टेट, बहादुरगढ़	द्रवित पैट्रोलियम गैस के लिए रबड़ की नम्य नालियाँ 10908	91
44.	9250876	2000/06	भगवान दास कुलवंत राय जैन भगल पुरा समीप-दोआबा चौक जालंधर-144 004	घरेलू कार्यों के लिए स्विंग चैक रिफ्लक्स वाल्व 05312 01	84
45.	9550977	2000/06	भगवान दास कुलवंत राय जैन भगल पुरा समीप-दोआबा चौक जालंधर-144 004	जल कल प्रयोजन के लिए स्लूस वाल्व 00780	84
46.	9251070	2000/06	यू पी एस्बेस्टॉस लि., मोहन लाल गंज, लखनऊ-227 305	एस्बेस्टॉस सीमेंट के भवन निर्माण हेतु बोर्ड 02098	97
47.	9251171	2000/06	प्रदीप इलैक्ट्रिकल इंडस्ट्रीज, 3ए/152 आजाद नगर कानपुर-	नोदक टाइप ए सी संवातन पंखे 02312	67

(1)	(2)	(3)	(4)	(5)	(6)	
48.	9251272	2000/05	क्यू. एस टी लि., अग्रवाल बिल्डिंग दि माल, कानपुर 208 004	शिरोपरि पावर लाइनों के लिए इस्पात के गोल खंभे	02713	01 80
49.	9251373	2000/05	चारु इलेक्ट्रिकल्स प्रा.लि., प्लॉट नं. 12, सेक्टर 4, फरीदाबाद-	बिजली के पानी गर्म करने के भण्डारण किस्म के स्थिर हीटर	02082	93
50.	9251474	2000/06	एम के वाल्व प्रॉडक्ट्स ई-48 फोकल प्वाइंट एक्सटेंशन, जालंधर-144 004	जल कल प्रयोजन के लिए स्लूस वाल्व	00780	84
51.	9251575	2000/05	के. सी. प्लाईवुड इंडस्ट्रीज, अखनूर रोड मुठी, जम्मू तवी	सामान्य प्रयोजन हेतु प्लाईवुड	00303	89
52.	9251676	2000/05	के. सी. प्लाईवुड इंडस्ट्रीज, अखनूर रोड मुठी, जम्मू तवी	ब्लॉक बोर्ड	01659	90
53.	9251777	2000/06	रैडसन टाइल्स एण्ड पेवर्स (प्रा) लि., 375, इंडस्ट्रियल एरिया, फेज-2, पंचकुला	सीमेन्ट कंक्रीट की फर्श बिछाने वाली टाइलें	01237	80
54.	9251878	2000/06	टर्मिनल इम्पैक्स, गाँव वरियाना कपूरथला रोड, पीओ बस्ती क्यूजन, जालंधर-144002	जल गैस, सीवर के लिए क्षैतिज ढले लोहे के दोहरे फ्लेंज युक्त पाइप	07181	86
55.	9251979	2000/06	एम०के०पैट्रो प्रॉडक्ट्स लि०., गाँव सोफता हरफली तहसील पलवल, फरीदाबाद	कंक्रीट के जोड़ों पर गर्म लगाया जाने वाला सीलिंग यौगिक	01834	84
56.	9252072	2000/05	हरियाणा पेस्ट्रीसाइड्स, गाँव मंधौर चान्दीगढ़, अम्बाला हाइवे, अम्बाला शहर 134007	मोनोक्रोटोफॉस एस एल	08074	90
57.	9252173	2000/06	पूजा प्रेसट्रेस सीमेंट इंड.प्रा.लि., गाँव रोसू पीओ फराह, मथुरा	पूर्व दलित कंक्रीट पाइप (प्रबलन सहित और रहित)	00458	88
58.	9252274	2000/06	विजयदीप मेटल वर्क्स, 181, स्वर्ण पार्क सलीमपुर रोड, गाँव गडईपुर, जालंधर	जल कल प्रयोजन के लिए ताम्बा मिश्रधातु के गेट ग्लोब और चेक वाल्व	00778	84
59.	9252375	2000/06	वी एम टिम्बर इंड., 7, एस आई सी ओ पी इंड, एस्टेट कतुआ (जम्मू-कश्मीर)	43 ग्रेड साधारण पोर्टलैंड सीमेंट	08112	89
60.	9252476	2000/05	अनु प्रॉडक्ट्स लि., तिगांव रोड, ओल्ड फरीदाबाद	2, 4-डिथाइल ईस्टर डब्ल्यू पी	10244	92

(1)	(2)	(3)	(4)	(5)	(6)		
61.	9252577	2000/06	स्टर्लिंग इरिगेशन लिमिटेड, बी-6 साइट ए, सिकन्दरा इंड. एरिया, यू०पी०एस०आई०डी०सी०, सिकन्दरा, आगरा।	सिंचाई उपस्कर—घूर्णी फुहारक	12232	01	96
62.	9252678	2000/06	शिवा पाइप्स, डिफेंस रोड समीप पंगोली चौक, पठानकोट-145001	सिंचाई तंत्र के छिड़काव सुगमक के लिए पालीथाइलीन पाइप	14151	02	94
63.	9252779	2000/06	अम्बिका प्लाईवुड इंडस्ट्रीज (प्रा.) लि., गीत इन्द्रपुर, तहसील बिलासपुर, रामपुर	सामान्य प्रयोजन हेतु प्लाईवुड	00303		89
64.	9252880	2000/07	रवि सीमेंट एण्ड केमिकल्स (प्रा) लि., पोर्ट लैंड धातुमल सीमेंट इंड. एक्सटें एरिया हटलीमोर, कदुआ		00455		89
65.	9252981	2000/07	एनबीईसन इंजीनियरिंग वर्क्स, 38, सुदर्शन नगर, 100 फुटा रोड, अमृतसर	पानी के मीटर (घरेलू किस्म)	00779		94
66.	9253074	2000/06	गिरधर पाइप्स, प्लॉट नं. 184, सेक्टर 29 हुडा इंडस्ट्रियल एस्टेट, पानीपत-131108	विद्युत संस्थापन के लिए कंड्यूट भाग 3 कंड्यूट विद्युत रोधक सामग्री के लिए दृढ़ सांद्र कंड्यूट	09537	03	83
67.	9253175	2000/05	बी. एस. ग्राम उद्योग समिति (रजि.), मालेरकोटली रोड, समीप-चौधरी पेट्रोल पंप, खन्ना, लुधियाना-141401	पालीथाइलीन हिज	00362		91
68.	9253276	2000/07	हनुमान इलैक्ट्रिकल्स, एम-3 रश्मी नगर, कमला नगर, आगरा	मौदक डाइप ए सी संवातन पंखे	02312		67
69.	9253377	2000/7	मार्कफीड एग्रो केमिकल्स, 7 और 8 बी इंडस्ट्रियल एस्टेट, फेस 1, मोहाली	2, 4-डी ईथाइल ईस्टर ई सी	10243		92
70.	9253478	2000/7	मार्कफीड एग्रो केमिकल्स, 7 और 8 बी इंडस्ट्रियल एस्टेट, सास नगर, मोहाली	एसीफेट एस पी	12916		90
71.	9253579	2000/7	केमिकल्स एण्ड एलाइड प्रॉडक्ट्स, गवर्न० इंडस्ट्रियल एस्टेट, देवरिया-274001	आईसाप्रोटयूरॉन डेब्ल्यू पी	11995		87
72.	9253680	2000/6	कोहिलको इंडस्ट्रीज, 76 इंडस्ट्रियल एस्टेट, के बी राइज मिल के पीछे, जालंधर-144004	सामान्य प्रयोजन के वाल्व	09890		81

(1)	(2)	(3)	(4)	(5)	(6)
73.	9253781	2000/7	नाथ्यर इलैक्ट्रोड्स (प्रा.) लि., लेन नं. 6 फेस 2 सिडको काम्पलेक्स इंड, एस्टेट, बारी ब्राह्मण, जम्मू	हस्त्य धातु आर्क वेल्डिंग के लिए आवृत्त कार्बन और कार्बन मैंगनीज इस्पात इलैक्ट्रोड	00814 91
74.	9253882	2000/7	फंगीसाइड्स इंडिया लि., लेन नं. 4, फेस 2, सिडको इंड. काम्पलेक्स बारी ब्राह्मण, जम्मू	कॉपर आक्सीक्लोराइड का जल परिक्षेपणीय चूर्ण सांद्र	01507 77
75.	9253983	2000/7	इंडो इंजीनियरिंग वर्क्स, 46 हाथरस रोड, नारैच, आगरा-282006	सामान्य प्रयोजनों (20 किलीवाट तक) के लिये एक समान गति वाले संपीडन प्रज्वलित (डीजल) इंजनों हेतु कार्यकारिता अपेक्षाएं	10001 81
76.	9254076	2000/7	स्वराज ऑटोमोटिक्स लि., कक्राला रोड, नाभा-147201	पावर थ्रेशर	09020 79
77.	9254177	2000/7	बीजीएस इंडस्ट्रीज, 2362 एमआईई, बहादुरगढ़-124507	पानी गर्म करने के इस्टेंट हीटर	08978 92
78.	9254278	2000/7	दुग्गल इंटरप्राइजिज, आउटसाइड ओहरी गेट, बठाला	अपशिष्ट और संवातन के लिए रेत के सांचों में ढले लोहे के सिपगेट और सॉकेट पाइप, फिटिंग और सहायकांग	01729 79
79.	9254379	2000/7	श्री केमीकल्स, जी-118, पनकी इंडस्ट्रियल एरिया, साइट-3, कानपुर	जिंक सल्फेट हैप्टाहाइड्रेट, कृषि ग्रेड	08249 94
80.	9254480	2000/7	धनुका पेस्टीसाइड्स लि., गाँव अट्टा सोहना मण्डकोला रोड, तहसील नूह, गुड़गाँव	इटोफेनप्रोक्स, ई सी	14250 95
81.	9254581	2000/07	डेकोरा इंडस्ट्रीज, 5-इंडस्ट्रियल एस्टेट, चम्बाभट सोलन	बाढ लगाने के लिये जस्तीकृत इस्पात के कांटेदार तार	00278 78
82.	9254682	2000/07	हाफेड पेस्टीसाइड्स, जी.टी. रोड, तारौड़ी, करनाल-132 116	कीटनाशक एनिलोफॉस	13403 92
83.	9254783	2000/07	क्रॉप केयर पेस्टीसाइड्स (इं) प्रा. लि., गांव सैयदोमाजरा हैबतपुर रोड, देराबस्सी	इंडोसल्फान ईसी	04323 80

(1)	(2)	(3)	(4)	(5)	(6)	
84.	9254884	2000/07	क्रॉप केयर पेस्टीसाइडस (इं) प्रा. लि., गांव सैयदोमाजरा हैबतपुर रोड, डेराबस्सी	साइपरमेथ्रीन ई सी	12016	87
85.	9254985	2000/07	क्रॉप केयर पेस्टीसाइडस (इं) प्रा. लि., गांव सैयदोमाजरा हैबतपुर रोड, डेराबस्सी	फेनवेलरेट ईसी	11997	87
86.	9255078	2000/07	क्रॉप केयर पेस्टीसाइडस (इं) प्रा. लि., गांव सैयदोमाजरा हैबतपुर रोड, डेराबस्सी	मैलाथियोन ई सी	02567	78
87.	0255179	2000/07	क्रॉप केयर पेस्टीसाइडस (इं) प्रा. लि., गांव सैयदोमाजरा हैबतपुर रोड, डेराबस्सी	ईथियोन ई सी	10319	82
88.	9255280	2000/07	क्रॉप केयर पेस्टीसाइडस (इ.) प्रा. लि., गांव सैयदोमाजरा हैबतपुर रोड, डेराबस्सी	क्लोराइपरिफॉस ई सी	08944	78
89.	9255381	2000/07	पंजाब प्लाईवुड इंडस्ट्रीज, गांव कामीमाजरा खजूरी रोड, यमुना नगर	परतचढ़ी सजावटी प्लाईवुड	01328	96
90.	9255482	2000/07	स्वास्तिक पॉलीस्टील प्रा.लि. गांव जटोली पी ओ दाकघाट, सोलन	बाड़ लगाने के लिये जस्तीकृत इस्पात के कांटेदार तार	00278	78
91.	9255583	2000/08	प्रेस्टीज वाल्वस, 41ए ग्लोब कॉलोनी इंडस्ट्रियल एरिया, जालंधर	जल कल प्रयोजन के लिए ताम्बा मिश्रधातु के गेट ग्लोब और चेक वाल्व	00778	84
92.	9255684	2000/07	इलैक्ट्रिकल इक्विपमेंट कारपोरेशन, 251, राजीव नगर बस स्टेण्ड रोड, गुडगाँव	बिजली के मूल भूत निरापद उपकरण और परिपथ	05780	80
93.	9255785	2000/08	सेससन केबल्स इंडस्ट्रीज, गाँव बेगमपुर खटोला बेहराम पुर रोड, गुडगाँव	फ्लोरोसेंट लैम्पों के लिए बैलास्ट भाग 1 स्विच चालित परिपथो हेतु	01534	01 77
94.	9255886	2000/07	किरण इंडस्ट्रीज, बी-12, फोकल प्लांट, खन्ना-144 401	पशुओं के लिए मिश्रित आहार	02052	79
95.	9255987	2000/08	मेरिनो पनेल प्रॉडक्ट्स लि., 44 किमी दिल्ली रोहतक रोड, गांव रोहड, झज्जर-124 501	सजावटी थर्मोसीटिंग संश्लिष्ट रेजिनबद्ध परतदार चादरें	02046	95

(1)	(2)	(3)	(4)	(5)	(6)	
96.	92556080	2000/08	इलोशा पेन, 40 एचएसआईडीसी इंडस्ट्रियल एस्टेट, कुण्डली, सोनीपत	फिनोलिक टाइप रोगाणु- नाशक तरल पदार्थ-काला और सफ़ेद	01061	97
97.	9256181	2000/08	भारत इंडस्ट्रीज (रजि.) जी.टी. रोड, दीनानगर, गुरदासपुर	विद्युत संस्थापन के लिये कंड्यूट	09537 02	81
98.	9256282	2000/07	नॉर्दन मिनरल्स लि., दौलताबाद रोड, गुडगांव-122 001	कीटनाशक डिफ्लू- बेंजूरॉन डब्ल्यूपी	14186	94
99.	9256383	2000/08	ग्लोबेल इंडिया ई-1 संजय कॉलोनी, सेक्टर 23, फरीदाबाद-121 005	फ्लोरोसेंट लैम्पों के लिए बैलास्ट भाग 1 स्विच चालित परियोजना हेतु	01534 01	77
100.	9256484	2000/07	पंजाब पाइप इंडस्ट्रीज, मनसा पटियाला हाइवे वीपीओ खैला कलां मनसा	पूर्व ढलित कंक्रीट पाइप (प्रबलन सहित और रहित)	00458	88
101.	9256585	2000/07	गोल्डन प्लाईवुड इंडस्ट्रीज प्रा. लि., मुल्लान रोड वीपीओ हमब्रान, लुधियाना	परतचढ़ी सजावटी प्लाईवुड	01328	96
102.	9256686	2000/08	वेद प्रकाश मित्तल एण्ड संस, डब्ल्यू-9, इंडस्ट्रियल एरिया, मोदी मिल के सामने, यमुना नगर	ब्लॉक बोर्ड	01659	90
103.	9256787	2000/08	लांसर होम एम्प्लायर्स प्रा.लि., प्लॉट नं. 10, प्रथम तल शिव कॉलोनी, रचना सिनेमा के पीछे, सेक्टर-22, फरीदाबाद-121 005	द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त घरेलू गैस चूल्हे	04246	92
104.	9256888	2000/08	सुदर्शन स्टील लि., लेन नं. 2, फेस 2, सिडको इंडस्ट्रियल कॉम्प्लेक्स बारीब्राह्मण जम्मु (जे.एंड के.)	सामान्य संरचना इस्पात	02062	99
		2000/08	भारत डेयरी उद्योग, भारतपुर आगरा रोड, फिरोजपुर झिकरा, गुडगांव-122104	मलाई युक्त दूध पाउडर भाग 1 मानक ग्रेड	13334 01	98
	9257082	2000/07	फंगीसाइडस इंडिया लि., लेन नं. 4, फेस 2, सिडको इंडस्ट्रियल कॉम्प्लेक्स, बारीब्राह्मण जम्मु	एसीफेट एस पी	12916	90

(1)	(2)	(3)	(4)	(5)	(6)
107.	9257183	2000/07	फंगीसाइडस इंडिया लि., लेन नं. 4, फेस 2, सिडको इंडस्ट्रियल कॉम्प्लेक्स, बारीब्राह्मण जम्मु	साइपरमेशीन ई सी 12016	87
108.	9257284	2000/08	जी.आर. सोल्वेंट एण्ड एलाइड इंडस्ट्रीज लि. गांव अदलपुरताज, पीओ कैलसा, सम्मुख : कैलसा रेलवे स्टेशन, जे.पी. नगर	पशुओं के मिश्रित आहार 02052	79
109.	9257385	2000/08	यूनीक प्लाईवुडस (प्रा.) लि., गांव हलालपुर जटोला रोड, सोनीपत	ब्लॉक बोर्ड 01659	90
110.	9257486	2000/08	शंकर स्पन पाइप्स, नाभा भवानी रोड, वीपीओ माझी, संगरूर	पूर्व ढलित कंक्रीट पाइप (प्रबलन सहित और रहित) 00458	88
111.	9257587	2000/07	आल्विन इंटरप्राइजिज (इंडिया) 116, इंडस्ट्रियल एरिया, लुधियाना	बिजली के घरेलू खाद्य (द्रवीयरक और मिक्चर ग्राइंडर) 04250	80
112.	9257688	2000/08	सनरे एग्रो केमीकल्स, गांव नूरपुर सेठन, फिरोजपुर-152 001	मोनोक्रोटोफॉस एस एल 08074	90
113.	9257789	2000/08	पूजा डेकेरेटिव प्लाईवुड, गांव कामी माजरा पीओ शादीपुर खजूरी रोड, यमुना नगर	सामान्य प्रयोजन हेतु प्लाईवुड 00303	89
114.	9257890	2000/08	अशोका कोल्ड स्टोरेज, बिलासपुर बाईपास, जगाधर	ब्लॉक बोर्ड 01659	90
115.	9257991	2000/08	स्टार प्लाईबोर्डस लि., गांव गंधोली सम्मुख: तेजली स्पोर्ट्स काम्प्लेक्स, यमुना नगर	कंक्रीट शटरिंग कार्य के लिए प्लाईवुड 04990	93
116.	9258084	2000/09	सच फूडस, गांव नेजियाखेडा समीप- डेरा सचा सौदाधाम सिरसा	बिस्कुट 01011	92
117.	9258185	2000/09	इल्लाही सीमेंट इंडस्ट्रीज, इंड. एक्वेंशन एरिया अंचिडोरा, अनन्तनाग (जे और के)	43 ग्रेड साधारण पोर्टलैंड सीमेंट 08112	89
118.	9258286	2000/09	इल्लाही सीमेंट इंडस्ट्रीज, इंड. एक्वेंशन एरिया अंचिडोरा, अनन्तनाग (जे और के)	53 ग्रेड साधारण पोर्टलैंड सीमेंट 12269	87

(1)	(2)	(3)	(4)	(5)	(6)	
119.	9258387	2000/09	तलवार जेवल्सर्स, एससीएफ 9-10, सेक्टर 22डी, चण्डीगढ़	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन	01417	99
120.	9258488	2000/09	आरडी सीमेंट इंडस्ट्रीज प्रा.लि., प्लॉट नं. 123 गांव चुरूवा पीओ दोस्पुर (साहगो) बचरावन रायबरेली	43 ग्रेड साधारण पोर्टलैंड सीमेंट	08112	89
121.	9258589	2000/09	शालीमार पेट्रो प्रॉडक्ट्स प्रा.लि., नन्दगांव रोड, गांव बारहाना कोसीकलां, मथुरा	कांच रेशा आधारित बिटुमैन नमदा	07193	94
122.	9258690	2000/09	बम्बा सीमेंट (प्रा.) लि., गांव प्रीतिपुरा मुरालिया तहसील बिश्नाह, जम्मु	पोर्टलैंड पोजोलाना सीमेंट	01489 02	91
123.	9258791	2000/09	हिन्दुस्तान टायर कं., कांगनवल जी.टी. रोड, लुधियाना-141 120	साइकिल तथा रिक्शा- हवा भरे टायर की विशिष्टि	02414	91
124.	9258892	2000/09	हिन्दुस्तान टायर कं., कांगनवल जी टी रोड, लुधियाना-141 120	साइकिल रबड़ ट्यूब	02415	92
125.	9258993	2000/09	जगदम्बे इंडस्ट्रीज, गांव गोदईपुर, पीओ रणधावा मसन्धा, जालंधर-144 004	धातुवर्ध्द ढलवां लोहे के पाइप फिटिंग	01879	87
126.	9259086	2000/09	जुनेजा मेटल वर्क्स, गांव बरियाना पीओ पस्ती गुजान, कपूरथला रोड, जालंधर	पानी गैस और मलजल के लिए ढलवां लोहे के दाब पाइपों की फिटिंग	01538	93
127.	9259187	2000/09	पंकज मेटल इंडस्ट्रीज (रजि.), 80 दादा, कॉलोनी, जालंधर-144 004	धातुवर्ध्द ढलवां लोहे के पाइप फिटिंग	01879	87
128.	9259288	2000/09	मैना इलेक्ट्रॉनिक्स प्रा.लि., 106 उद्योग विहार, फेस 4, गुड़गांव	उच्च दाब के सोडियम वाष्प लैंस	09974 01	81
129.	9259389	2000/09	रामा बिटुमैन प्रॉडक्ट्स, गांव सरूरपुर पाली नागला रोड, फरीदाबाद	जलसर और नमसर बनाने के लिए बिटुमैन	01322	93
130.	9259490	2000/10	सम्पत्ति एम्पलायंसेज प्रा.लि., 2682 अर्बन एस्टेट, डूगरी रोड, लुधियाना	घरेलू सिलाई मशीन	01610	89

(1)	(2)	(3)	(4)	(5)	(6)		
131.	9259591	2000/10	स्पुटनिक स्विचगियर (प्रा.) लि., जी.टी. रोड, गोराया, जालंधर	निम्न वोल्टता स्विचगियर और नियंत्रण गियर	13947	03	93
132.	9259692	2000/09	कौयरफोम (इंडिया) प्रा.लि., 14/6 मथुरा रोड, फरीदाबाद-121 003	कुशनिंग के लिए रबड़ चढ़े नारियल जटा की शीट	08391		87
133.	9259793	2000/10	सागर इंजी. वर्क्स, गली नं. 2, प्रेम नगर, होशियारपुर रोड बाईपास चौक, समीप-लाम्बा पिण्ड चौक, जालंधर	जल कल प्रयोजन के लिए ताम्बा मिश्रधातु के गेट ग्लोब और चेक वाल्व	00778		84
134.	9259894	2000/10	मंगला होप एप्पलायंसेस, फ्रेंड्स एनक्लेव सिंधू बार्डर, कुण्डली सोनीपत-131 028	द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त घरेलू गैस चूल्हे	04246		92
135.	9259995	2000/10	गोल्डन प्लाईवुड इंड. (प्रा.) लि. मुल्लापुर रोड, बीपीओ हमब्रान, लुधियाना	समुद्री उपयोग हेतु प्लाईवुड	00710		76
136.	9260071	2000/10	सम्राट प्लाईवुड लि., हाबेतपुर रोड, डेराबस्सी, पटियाला	कंक्रीट शटरिंग कार्य के लिये प्लाईवुड	04990		93
137.	9260172	2000/10	सम्राट प्लाईवुड लि., हाबेतपुर रोड, डेराबस्सी, पटियाला	समुद्री उपयोग हेतु प्लाईवुड	00710		76
138.	9260273	2000/10	मयंक प्रेसट्रेस इंडस्ट्रीज इलाहाबाद बांध रोड, गांव खुटाहा (शिवरामपुर) चित्रकूट	पूर्व ढलित कंक्रीट पाइप (प्रबलन सहित और रहित)	00458		88
139.	9260374	2000/10	जी.एस. कारस्टिंग्स, 404/2/3/4 गांव सिरसां लाडो रोड, कुरुक्षेत्र	अपशिष्ट और संवातन के लिए रेल के सांचों में ढले लोहे के सिफोट और सांकेट पाइप, फिटिंग और सहायकांग	01729		79
140.	9260475	2000/08	स्टार प्लाईबोर्ड्स प्रा. लि., गांव गंधौली, तेजली स्पोर्ट्स काम्पलेक्स के सामने, यमुनानगर-135 001	समुद्री उपयोग हेतु प्लाईवुड	00710		76
141.	9260576	2000/09	यूनीक प्लाईवुड प्रा. लि., गांव हलालपुर जटोला रोड, सोनीपत	परतचढ़ी सजावटी प्लाईवुड	01328		96
142.	9260677	2000/10	अजन्ता इंडस्ट्रीज, 184/6 दमदमा रोड, गांव भोंडसी, तहसील सोहना, गुडगांव	संश्लिष्ट खाद्य रंग	05346		94

(1)	(2)	(3)	(4)	(5)	(6)	
143.	9260778	2000/10	एक्यूटे इंजीनियरिंग वर्क्स, स्ट्रीट नं. 3, दुर्गी रोड, समीप-केनल ब्रिज, लुधियाना	फसल संरक्षण उपस्कर-रॉकर फुहारा	03062	95
144.	9260879	2000/10	एक्यूटे इंजीनियरिंग वर्क्स, स्ट्रीट नं. 3, दुर्गी रोड, समीप-केनल ब्रिज, लुधियाना-141002	फसल संरक्षण उपस्कर-पाद फुहारा	03652	95
145.	9260980	2000/06	फंगीसाइड्स इंडिया लि., लेन नं. 4, फेस 2, सिडको इंड कॉम्प्लेक्स, बारी ब्राह्मण जम्मु	जिरम मोनोइडैल संस्पेंशन	11010	84
146.	9261073	2000/06	फंगीसाइड्स इंडिया लि., लेन नं. 4, फेस 2, सिडको इंड कॉम्प्लेक्स, बारी ब्राह्मण जम्मु	क्विनालफॉस ईसी	08028	87
147.	9261174	2000/10	डबल आई कार्टिंग (इंडिया) ई-20 इंडस्ट्रियल एरिया, जालंधर	धतुवर्ध्न ढलवां लोहे के पाइप फिटिंग	01879	87
148.	9261275	2000/10	थापर इंडस्ट्रीज, डी-189 फोकल प्वाइंट एक्सटेंशन, जालंधर	अमोनिया वाल्व	11132	85
149.	9261376	2000/10	गुरूनानक आयरन इंडस्ट्रीज, एनएच 26 ललितपुर रोड, बबीना झांसी	पावर श्रेसर	09020	79
150.	9261477	2000/10	कोशल फूड्स, प्लॉट नं. 4, इंडस्ट्रियल एस्टेट, कठुआ (जे एण्ड के)	बिस्कुट	01011	92
151.	9261578	2000/10	वी एम टिम्बर इंडस्ट्रीज, 7, सिकोप इंडस्ट्रियल एस्टेट, कठुआ (जे एण्ड के)	पोर्टलैंड पोजोलाना सीमेंट	01489	02 91
152.	9261679	2000/10	भारत स्टील ट्यूब्स लि., बीएसटी रोड गनौर 131101, जिला सोनीपत	मृदु इस्पात की नालियाँ नलिकाकार सामग्रियाँ तथा पिटवां इस्पात की अन्य फिटिंग	01239	01 90
153.	9261780	2000/10	श्री गोपाल उद्योग, खजूरी रोड, शादीपुर, यमुनानगर	सामान्य प्रयोजन हेतु प्लाईवुड	00303	89
154.	9261881	2000/10	सन्त राम मंगत राम ज्वेलर्स, 34 भदौर हाऊस, लुधियाना	स्वर्ण एवं स्वर्ण मिश्रधातुएँ, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन	01417	99

(1)	(2)	(3)	(4)	(5)	(6)	
155.	9261982	2000/10	किटप्लाई इंडस्ट्रीज लि., शाहबाद रोड, रामपुर उत्तर प्रदेश-244901	परत चढ़े कर्ण बोर्ड	03097	80
156.	9262075	2000/10	हारून सीमेंट फैक्टरी (प्रा) लि., लार, गण्डेरबली श्रीनगर कश्मीर	पोर्टलैंड पोर्जोलाना सीमेंट	01489	02 91
157.	9262176	2000/10	जेको मेलिएबल्स (प्रा) लि., सी-68 फोकल प्वाइंट एक्सटेंशन, जालंधर	धातुबर्ध्द ढलवां लोहे के पाइप फिटिंग	01879	87
158.	9262277	2000/10	केमीको इंडिया, डी-3, फोकल प्वाइंट, जालंधर शहर	जल सेवा फैक्ट्री	02692	79
159.	9262378	2000/11	एशियन सीमेंट, 12, इंडस्ट्रियल एस्टेट एक्सटेंशन, कटुआ (जे एण्ड के)	§3 ग्रेड साधारण पोर्टलैंड सीमेंट	12269	87
160.	9262479	2000/10	कपिला कृषि उद्योग (प्रा), लि., तातिबागंड जी.डी. रोड, कानपुर	पशुओं के लिए मिश्रित आहार	02052	79
161.	9262580	2000/10	सत्य दीप उद्योग, मोहम्मदपुर मथुरा रोड, आगरा-282007	अपशिष्ट और संवातन के लिए रेत के सांचों में ढले लोहे के सिपगेट और साइड पाइप, फिटिंग और सहायकांग	01729	79
162.	9262681	2000/10	जॉली एक्पोर्ट्स, गाँव एवं पोस्ट रणधावा मसन्दा, जालंधर 144004	धातुबर्ध्द ढलवां लोहे के पाइप फिटिंग	01879	87
163.	9262782	2000/11	मास्टर टूल्स कारपोरेशन, 211 बस्ती नव जालंधर	पाइप रिच भाग 1 सामान्य प्रयोजन	04003	01 78
164.	9262883	2000/11	मास्टर टूल्स कारपोरेशन, 211 बस्ती नव जालंधर	पाइप रिच	04003	02 78
165.	9262984	2000/08	त्रिमूर्ति पेस्टीसाइड्स, गाँव झारमेरी, पोओ लालरू, जिला पटियाला	मोनोक्रोटोफॉस एस एल	08074	90
166.	9263077	2000/07	ट्रिलो एग्रो इंडस्ट्रीज लि., गाँव झारमेरी, जिला पटियाला	डिक्लोरवॉस ईसी	05277	78
167.	9263178	2000/08	प्रीति प्लाई बोर्ड्स प्रा. लि., अमदलपुररोड, बुरिया चौक, जगाधरी, जिला जमुनानगर	अग्नि अवमंदक प्लाईवुड	05509	80
168.	9263279	2000/10	नॉर्दन मिनरल्स लि., दौरलाबाद रोड,	भीगने योग्य गंधक चूर्ण	03383	82

(1)	(2)	(3)	(4)	(5)	(6)	
169.	9263380	2000/11	श्री गोपाल उद्योग, खजूरी रोड, शादीपुर, यमुना नगर	ब्लॉक बोर्ड	01659	90
170.	9263481	2000/11	राजस्थान सीमेंट इंडस्ट्रीज, इंडस्ट्रियल एरिया, सिपको कठुआ, (जे एण्ड के) 184102	43 ग्रेड साधारण पोर्टलैंड सीमेंट	08112	89
171.	9263582	2000/09	एमसन्स केमीकल्स इंडिया, गाँव गढ़ी छाजू सामल्ला, पानीपत	मोनोक्रोटोफास एसएल	08074	90
172.	9263683	2000/11	हरियाणा वुड प्रॉडक्ट्स, गाँव मकराबपुर छछरीली रोड, जगाधरी, जिला जमुना नगर	सामान्य प्रयोजन हेतु प्लाईवुड	00303	89
173.	9263784	2000/11	अमर वाल्व्स प्रॉडक्ट्स, एस-63 इंडस्ट्रियल एरिया, जालंधर 144004	जल कल प्रयोजन के लिए ताम्बा मिश्रधातु के गेट ग्लोब और चेक वाल्व	00778	84
174.	9263885	2000/11	स्पेक्ट्रम मेसेन्टाइल प्राइवेट लिमिटेड, गाँव गंगापुर 5 किमी स्टोन, मुरादाबाद रोड, काशीपुर, जिला यू एस नगर	पेय जल आपूर्ति के लिए गैर-प्लास्टिकृत पीवीसी पाइप	04985	88
175.	9263986	2000/11	मित्तल स्टील वर्क्स, मित्तल उद्योग बिल्डिंग लाडोवाली रोड, जालंधर	घरेलू प्रेशर कूकर	02347	95
176.	9264079	2000/11	सर्वोत्तम पम्पस लि., 316 सेक्टर 24, फरीदाबाद-121005	पानी गर्म करने के इंस्टैंट हीटर	08978	92
177.	9264180	2000/11	सर्वोत्तम पम्पस लि., 316 सेक्टर 24, फरीदाबाद-121005	बिजली के पानी गर्म करने के भण्डारण किस्म के स्थिर हीटर	02082	93
178.	9264281	2000/11	प्रशान्त केमीकल वर्क्स, 381 के अफीम क्रेटी, प्रतापगढ़	फिनोलिक टाइप रोगाणुनाशी तरल पदार्थ काला और सफेद	01061	97
179.	9264382	2000/09	मॉडर्न इन्सेक्टीसाइड्स लि., सी-162 ए फोकल प्वाइंट, फेस 1, धनदारी कलाँ लुधियाना	साइपरमेथ्रीन ईसी	12016	87
180.	9264483	2000/09	मॉडर्न इन्सेक्टीसाइड्स लि., सी-162 ए फोकल प्वाइंट, फेस 5, धनदारी कलाँ लुधियाना	कीटनाशक एनिलोफॉस	13403	92
181.	9264584	2000/09	मॉडर्न इन्सेक्टीसाइड्स लि., सी-162 ए फोकल प्वाइंट, फेस 5, धनदारी कलाँ लुधियाना	ब्यूटाक्लोर ई सी	09356	80

(1)	(2)	(3)	(4)	(5)	(6)	
182.	9264685	2000/09	मॉडर्न इन्सेक्टीसाइड्स लि., सी-162 ए फोकल प्वाइंट, फेस 5, धनदारी कलाँ, लुधियाना	क्विनालफॉस ई सी	08028	87
183.	9264786	2000/09	मॉडर्न इन्सेक्टीसाइड्स लि., सी-162 ए फोकल प्वाइंट, फेस 5, धनदारी कलाँ, लुधियाना	क्लोरोपाइरिफॉस ई सी	08944	78
184.	9264887	2000/11	बी. आर. मेकेनिकल कारपोरेशन, 265/2 अहाता फकीर चन्द, समराला रोड, लुधियाना	घरेलू सिलाई मशीन	01610	89
185.	9264988	2000/11	ओएसिस एप्लायंसेस, 170 बाबा हृदय राम इंडस्ट्रियल एरिया, मुजेस्सर, फरीदाबाद-121 005	बिजली के पानी गर्म करने के भण्डारण किस्म के स्थिर हीटर	02082	93
186.	9265081	2000/11	खन्ना इंजीनियर्स, प्लॉट नं. 1, बडखन लेन चौक, सामने फूड क्राफ्ट इंडस्ट्रीयूट, पाली रोड, एनआई टी, फरीदाबाद-121 001	बिजली के पानी गर्म करने के भण्डारण किस्म के स्थिर हीटर	02082	93
187.	9265182	2000/11	एण्डोटा सीमेंट इंडस्ट्रीज, इंडस्ट्रियल एक्सटेंशन एरिया, कटुआ	पोर्टलैंड धातुमल सीमेंट	00455	89
188.	9265283	2000/11	कैटल फीड प्लांट किछा बाईपास रोड, रुद्रपुर, जिला यू. एस. नगर	पशुओं के लिए मिश्रित आहार	02052	79
189.	9265384	2000/11	रोजी सीविंग मशीन कम्पनी, प्लॉट नं. 1, शेरपुर चौक, समीप इम्पेक्ट स्कूटर्स, लुधियाना	घरेलू सिलाई मशीन	01610	89
190.	9265485	2000/12	ओमिड इंजीनियर्स (प्रा.) लि., गाँव एवं पोस्ट देवलिया, तहसील एएमआर, जिला ऊना	अल्पदाब द्रवणीय गैसों के लिए 5-लिटर से अधिक जलक्षमता वाले वेल्डित अल्प कार्बन इस्पात के सिलिंडर भाग 1 एलपीजी सिलिंडर	03196 01	92
191.	9265586	2000/12	कृष्णा सिलिंडर्स, गाँव नसीर पुर, हिसार रोड	अल्पदाब द्रवणीय गैसों के लिए 5-लिटर से अधिक जलक्षमता वाले वेल्डित अल्प कार्बन इस्पात के सिलिंडर भाग 1 एलपीजी सिलिंडर	03196 01	92

(1)	(2)	(3)	(4)	(5)	(6)	
192.	9265687	2000/11	मॉडर्न इन्सेक्टोसाइड्स लि., सी-162 ए फेस वीसी फोकल प्वाइंट, धनदारी कलाँ, लुधियाना	ईथियोन ई सी	10319	82
193.	9265788	2000/08	त्रिमूर्ति पेस्टीसाइड्स, गाँव झारमारी, पीओ लालरू, जिला पटियाला	ईडोसल्फान ई सी	04323	80
194.	9265889	2000/08	ट्रिलो एग्रो इंडस्ट्रीज लि., पी ओ काकरू 40 किमी सटोन, चण्डीगढ़ दिल्ली हाइवे, गाँव झारमारी, जिला पटियाला	एसीफेट एस पी	12916	90
195.	9265990	2000/12	मरकरी सिलिण्डर्स (प्रा.) लि., यूपीएसआईडीसी इंडस्ट्रियल एरिया साइड बी, आगरा रोड़, मथुरा	अल्पदाब द्रवणीय गैसों के लिए 5-लिटर से अधिक जलक्षमता वाले वैलिडत अल्प कार्बन इस्पात के सिलिण्डर भाग 1 एलपीजी	03196 01	92
196.	9266083	2000/11	गैदामल चिरंजीलाल, वीपी ओ चौदौमन्दिर, जिला पंचकूला	सीमेन्ट कंक्रीट की फर्श बिछाने वाली टाइलें	01237	80
197.	9266184	2000/12	एस.के.एन. इंडस्ट्रीज, खसरा नं. 21/18, 19, 22, 23, 28/4 दिल्ली जयपुर हाइवे धारूहेड़ा, रेवाड़ी	अल्पदाब द्रवणीय गैसों के लिए 5-लिटर से अधिक जलक्षमता वाले वैलिडत अल्प कार्बन इस्पात के सिलिण्डर भाग 1 एलपीजी सिलिण्डर	03196 01	92
198.	9266285	2000/12	आर.आर.एस. रोलिंग मिल्स (प्रा.) लि., कुरूवाला बस स्टैण्ड बरवाला रोड़, डेराबस्सी, जिला पटियाला-140 507	कंक्रीट प्रबलन के लिए उच्च सामर्थ्य विन्धापित इस्पात के सरिए और तार	01786	85
199.	9266386	2000/12	बसन्त पाइप इंडस्ट्रीज, शेड नं. 18, इंडस्ट्रियल एस्टेट, चाबाघाट, सोलन-173 213	पानी की आपूर्ति के लिए उच्च घनत्व वाले पोलिएथिलीन पाइप	04984	95
	9266487	2000/12	एच.पी.एगो इंडस्ट्रीज, कारपो. लि., प्लॉट नं. 8, सेक्टर 5, परवानू-173 220	क्लोरोपाइरिफॉस ईसी	08944	78
		2000/12	एसएन एम्पलायसेस, गाँव गुलाबगढ़ बरवाला रोड़, डेरा बस्सी	अल्पदाब द्रवणीय गैसों के लिए 5-लिटर से अधिक जलक्षमता वाले वैलिडत अल्प कार्बन इस्पात के सिलिण्डर भाग 1 एलपीजी सिलिण्डर	03196 01	92

[सं. सीएमडी-1/13 : 11]

पी. दक्षिणामूर्ति, अपर महानिदेशक

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 17th April, 2003

S.O. 1335.—In pursuance of sub-regulation (5) of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule :

SCHEDULE

Sl. No.	Licence No.	Operative Date (Year/ Month)	Name & Address of the Party	Title of the Standard	IS No. Part Sec.	Year
1	2	3	4	5	6	7
1.	9246582	2000/05	Shakti Agro Chemicals (India) I, Tyagi Market Chowk Tarikhana Court Road Moradabad (UP)—244001	Endosulfan EC	04323	80
2.	9246683	2000/05	Shakti Agrochemicals (India) I, Tyagi Market Chowk Tarikhana Court Road Moradabad (UP)—244001	Butachlor EC	09356	80
3.	9246784	2000/05	Ashoka Cold Storage Bilaspur Bye Pass Road Jagadhari.	Plywood for General Purposes	00303	89
4.	9246885	2000/04	M.K. Petro Products (P) Ltd. Vill. Softa Harfali Teh. Palwal Faridabad.	Bitumen Primer for use in water	03384	86
5.	9246986	2000/04	Chandra Sagar Timber Product Mahanmati Bara Gaon Karnal.	Veneered Decorative Plywood	01328	96
6.	9247079	2000/05	Crop Chemicals (India) C-63 to 65 Indl. Area Kotkapura-151204	Atrazine WP	12931	90
7.	9247180	2000/04	Jai Shree Agro Indst. Ltd. G.T. Karnal Road Vill. Nathupur Sonapat (HR)—131029	Metoxuron WP	11063	84
8.	9247281	2000/05	Jai Shri Agro Indst. Ltd. G.T. Karnal Road Vill. Nathupur Sonapat (HR)—131029	Pesticide Metribizin WP	13333	92
9.	9247382	2000/05	Bharat Fertilizers Mfg. Co. B-9 Focal Point Kotkapura-151204	Zinc Sulphate Heptahydrate, Agri	08249	94
10.	9247483	2000/05	Khyber Industries (P) Ltd. Vill. Tulpow Khumoh Srinagar-190001	53 Grade OPC	12269	89
11.	9247584	2000/05	Geol Wood Products Vill. Nandoli Saharanpur Road Yamuna Nagar.	Plywood for general purposes	00303	89

1	2	3	4	5	6	7
12.	9247685	2000/05	Shanker Industries Vill. Patti P. O. Tarore Teh. Samba, 22nd Km stone Jammu Pathankot Road Jammu.	Portland pozzolana cement	01489—02	91
13.	9247786	2000/04	Krishi Rasayan Exports (P) Ltd. Plot No. 168 and 170 Indl. Area Baddi Solan.	Pesticide metribizin WP	13333	92
14.	9247887	2000/05	Northern Cement & Construction (P) Ltd. Vill. Alamwala Teh. Bagha Purana Moga.	43 grade OPC	08112	89
15.	9247988	2000/05	K.K. Metal Works 18, Santokhpoura, Gali No.2 Backside elect. compliant Office Hoshiarpur Road Jalandhar-144004	Copper Alloy Gate Globe & Chec	00778	84
16.	9248081	2000/05	Crop Chemicals (India) C-63 to 65 Indl. Area Kotkapura-151204	Fenvalerate EC	11997	87
17.	9248182	2000/05	Irachem Ltd. C-5, UPSIDC Industrial Area Gajraula Jyotiba Phule Nagar.	Sulphur Dusting Powderin	06444	79
18.	9248283	2000/05	Maken Cement Indust. 9-10 Industrial Estate Exn. Kathua-184102	Portland Slag Cement	00455	89
19.	9248384	2000/05	Ishan Industries Vill. Jourian Radour Road Yamuna Nagar.	Block Boards	01659	90
20.	9248485	2000/05	Ishan Industries Vill. Jourian Radour Road Yamuna Nagar.	Plywood for general purposes	00303	89
21.	9248586	2000/05	Haroon Cement Factory (P) Ltd. LAR, Ganderbal Srinagar.	53 grade OPC	12269	89
22.	9248687	2000/05	Chandra Sagar Timber Product Mahenmati Baragaon Karnal.	Plywood for general purposes	00303	89
23.	9248788	2000/05	Haryana Industry Khajuri Road Yamuna nagar.	Plywood for general purposes	00303	89
24.	9248889	2000/05	Haryana Industry Khajuri Road Yamunanagar.	Block Boards	01659	90
25.	9248990	2000/05	Krishi Rasayan Exports (P) Ltd. Plot No. 168, 170 Indl. Area Baddi Solan.	Ethion EC	10319	82
26.	9249083	2000/05	Oberoi Wood Industries M-15 Industrial Area Yamunanagar.	Block Boards	01659	90

1	2	3	4	5	6	7
27.	9249184	2000/05	Singhal Pesticides 9/122 Motibagh Jamunapar Agra-282006.	Butachlor EC	09356	80
28.	9249285	2000/05	Trishul Enterprises (P) Ltd. Kot Bhalwal near Sub Jail Jammu.	Portland Pozzolana Cement	01489 02	91
29.	9249386	2000/05	New Century Cement Co. Rural Focal Point Vill. Pathrala, Bhatinda.	43 Grade OPC	08112	89
30.	9249487	2000/05	Kwality Dairy (India) Ltd. Vill. Softa Teh. Palwal Faridabad.	Skimmed Milk Powder	13334 01	98
31.	9249588	2000/05	R.M. Plywood Indst. Pvt. Ltd. Vill. Titolly Jind Road, Rohtak.	Plywood for general purposes	00303	89
32.	9249689	2000/05	R.M. Plywood Indst. Pvt. Ltd. Vill. Titolly Jind Road Rohtak.	Block Boards	01659	90
33.	9249790	2000/05	Himalayan Plastic Pvt. Ltd. 9 Industrial Estate Chambaghat Solan.	Irrigation Equipment Polythylene	12786	89
34.	9249891	2000/05	Anil Ply Boards Vill. Barnai Akhnoor Road Jammu Tawi.	Wooden Flush Door Shutters	02202 01	91
35.	9249992	2000/05	Vishwanath Iron and Steel Re-rolling Mills G.T. Road (Sirhind side) . Mandi Gobindgarh-147301.	Hot Rolled Steel Strip	10748	95
36.	9250068	2000/05	Swastik Polysteel Pvt. Ltd. Vill. Jatoli P.O. Dachghat Solan.	Galvanized Steel Chain Link Fence Fabric	02721	79
37.	9250169	2000/05	Haryana Plywood Indst. (P) Ltd. 33 km. Stone G.T. Karnal Road PO Kundli-Sonepat.	Plywood for general purposes	00303	89
38.	9250270	2000/05	Motilal Pesticides (India) Pvt. Ltd. Masani Mathura.	Cypermethrin EC	12016	87
39.	9250371	2000/05	Accurate Engineering Works Street No. 3, Dugri Road near Canal Bridge Ludhiana-141002.	Hand operated Knapsack Sprayer	03906	95
40.	9250472	2000/05	Ved Pardkash Mittal & Sons W-9, Industrial Area Yamunanagar.	Plywood for general purposes	00303	89
41.	9250573	2000/05	Sachdeva Metal Works C-33, Focal Point Extension Jalandhar-144001.	Horizontally cast iron double Flanged pipes for water, Gas and Sewage	07181	86

1	2	3	4	5	6	7
42.	9250674	2000/06	Pee Cee Wire VPO Surajpur Mohtli Teh. Indore Kangra.	Mild Steel Wire	00280	78
43.	9250775	2000/05	Jasmeet Auto (P) Ltd. 2216, Modern Industrial Estate Bahadurgarh.	Flexible rubber tubing	10908	91
44.	9250876	2000/06	Bhagwan Dass Kulwant Rai Jain Bhagat Pura near Doaba Chowk Jalandhar-144004	Swing check type reflux valves	05312 01	84
45.	9250977	2000/06	Bhagwan Dass Kulwant Rai Jain Bhagat Pura near Doaba Chowk Jalandhar-144004	Sluice Valves for water works	00780	84
46.	9251070	2000/06	U.P. Asbestos Ltd. Mohanlalganj Lucknow-227305	Asbestos Cement Building Boards	02098	97
47.	9251171	2000/06	Pardeep Electrical Industries 3A/152 Azad Nagar Kanpur-	Propeller type AC ventilating fan	02312	67
48.	9251272	2000/05	Q S T Ltd. Agarwal Building the Mall Kanpur-208004	Tubular Steel poles for overhea	02713 01	80
49.	9251373	2000/05	Charu Electricals Pvt. Ltd. Plot No. 12 Sector 4 Faridabad.	Stationary Storage Ele. water Heaters	02082	93
50.	9251474	2000/06	M.K. Valve Products E-48 Focal point Extension Jalandhar-144004	Sluice valves for water works	00780	84
51.	9251575	2000/05	K.C. Plywood Industries Akhnoor Road Muthi Jammu Tawi.	Plywood for general purposes	00303	89
52.	9251676	2000/05	K.C. Plywood Industries Akhnoor Road Muthi Jammu Tawi.	Block Boards	01659	90
53.	9251777	2000/06	Redsun Tiles & Pavers (P) Ltd. 375, Industrial Area Phase II Panchkula.	Cement concrete flooring tiles	01237	80
54.	9251878	2000/06	Terminal Impex Vill. Variana Kapurthala Road P.O. Basti Quzan Jalandhar-144002	Horizontal cast iron double flanged pipes for water gas sewage.	07181	86
55.	9251979	2000/06	M.K. Petro Products Ltd. Vill. Softa Harfali Tehsil Palwal Faridabad.	Hot applied sealing compound	01834	84
56.	9252072	2000/05	Haryana Pesticides Vill. Mandhour Chandigarh Ambala Highway Ambala City-134007	Monocrotophos SJ	08074	90

1	2	3	4	5	6	7
57.	9252173	2000/06	Puja Prestress Cement Indust. Pvt. Ltd. Vill. Rosu Po Farah Mathura-	Precast concrete pipes	00458	88
58.	9252274	2000/06	Vijay Deep Metal Works 181, Swarn Park Salimpur Road Vill. Gadaipur Jalandhar-	Copper Alloy gate globe & Chec	00778	84
59.	9252375	2000/06	VM Timber Indust. 7, SICOP Indl. Estate Kathua (J&K)-	43 Grade OPC	08112	89
60.	9252476	2000/05	Anu Products Ltd. Tiganv Road Old Faridabad	2, 4-dethyl Ester WP	10244	92
61.	9252577	2000/06	Sterling Irrigation Limited B-6 Site A Sikandara Indal Area UPSIDC, Sikandra Agra-	Rotating Spelinkler	12232 01	96
62.	9252678	2000/06	Shiva Pipes Defence Road near Pangoli Chowk Pathankot-145001	Irrigation equipment-sprinkler	14151 02	94
63.	9252779	2000/06	Ambika Plywood Industries (P) Ltd. Vill. Inderpur Tehsil Bilaspur Rampur-	Plywood for general purposes	00303	89
64.	9252880	2000/07	Ravi Cement and Chemicals (P) Ltd. Indl. Extn. area Hatlimore kathua-	Portland slag cement	00455	89
65.	9252981	2000/07	NBESON Engineering Works 38, Sudershan Nagar 100 Foot Road Amritsar	Water meters	00779	94
66.	9253074	2000/06	Girdhar Pipes Plot No. 184 Sector 29 HUDA Industrial Estate Panipat-132108	Conduit for electrical installa	09537 03	83
67.	9253175	2000/05	B.S. Gram Udyog Samiti (Regd.) Malerkotla Road Near Choudhry Petrol Pump Khanna Ludhiana-141401	Parliament Hinges	00362	91
68.	9253276	2000/07	Hanuman Electricals M-3 Rashmi Nagar Kamla Nagar Agra.	Propeller type AC ventilating Fans	02312	67
69.	9253377	2000/07	Markfed Agro Chemicals 7 and 8 B Industrial Estate Phase I Mohali.	2, 4-D Ethyl Ester EC	10243	92
70.	9253478	2000/07	Markfed Agro Chemicals 7 and 8 B Industrial Estate Sas Nagar Mohali	Acephate SP	12916	90

1	2	3	4	5	6	7
71.	9253579	2000/07	Chemicals and Allied Products Govt. Industrial Estate Deoria-274001.	Isoproturon, WP	11995	87
72.	9253680	2000/06	Kohilco Industries 76 Industrial Estate behind KV Rice Mills, Jalandhar-144004.	General purpose Ball Valves	09890	81
73.	9253781	2000/07	Nayyar Electrodes (P) Ltd. Lane No. 6, Phase II SIDCO Complex Indl. Estate Bari Brahmana, Jammu.	Covered Electrodes for Manual	00814	91
74.	9253882	2000/07	Fungicides India Ltd. Lane No. 4, Phase II SIDCO Indl. Complex, Bari Brahmana Jammu.	Copper Oxychloride Water DP	01507	77
75.	9253983	2000/07	Indo Engineering Works 46 Hathras Road, Naraich Agra-282006.	Constant speed compression IGNI	10001	81
76.	9254076	2000/07	Swaraj Automotivces Ltd. Kakrala Road, Nabha-147201.	Power Threshers	09020	79
77.	9254177	2000/07	VGS Industries 2362 MIE, Bahadurgarh-124507	Electric Instantaneous water Heaters	08978	92
78.	9254278	2000/07	Duggal Enterprises outside Ohri Gate Batala.	Sand Cast Iron Spigot and Socket	01729	79
79.	9254379	2000/07	Shree Chemicals G-118 Panki Industrial Area Site III, Kanpur.	Zinc Sulphate Heptahydrate, Agri	08249	94
80.	9254480	2000/07	Dhanuka Pesticides Ltd. Vill. Atta Sohna Mandkola Road Teh. Nuh, Gurgaon.	Etopenprox, EC	14250	95
81.	9254581	2000/07	Decora Industries 5, Industrial Estate Chambabhat Solan.	Galvanized Steel Barbed Wire	00278	78
82.	9254682	2000/07	Hafed Pesticides G.T. Road Taraori Karnal-132116.	Pesticide Anilophos	13403	92
83.	9254783	2000/07	Crop Care Pesticides (I) Pvt. Ltd. Vill. Saidomajra Haibatpur Road Derabassi.	Endosulfan EC	04323	80
84.	9254884	2000/07	Crop Care Pesticides (I) Pvt. Ltd. Vill. Saidomajra Haibatpur Road Derabassi.	Cypermethrin EC	12016	87
85.	9254985	2000/07	Crop Care Pesticides (I) Pvt. Ltd. Vill. Saidpura Haibatpur Road Derabassi.	Fenvalerate EC	11997	87

1	2	3	4	5	6	7
86.	9255078	2000/07	Crop Care Pesticides (I) Pvt. Ltd. Vill. Saidpura Haibatpur Road Derabassi.	Malathion EC	02567	78
87.	9255179	2000/07	Crop Care Pesticides (I) Pvt. Ltd. Vill. Saidpura Haibatpur Road Derabassi.	Ethion EC	10319	82
88.	925280	2000/07	Crop Care Pesticides (I) Pvt. Ltd. Vill. Saidpura Haibatpur Road Derabassi.	Chlorpyrifos EC	08944	78
89.	9255381	2000/07	Punjab Plywood Industries Vill. Kani Majra Khajuri Road Yamuna Nagar.	Veneered Decorative Plywood	01328	96
90.	9255482	2000/07	Swastik Polysteel Pvt. Ltd. Vill. Jatoli Po Dagghat Solani.	Galvanized Steel Barbed Wire	00278	78
91.	9255583	2000/08	Prestige Valves 41A Globe Colony Industrial Area, Jalandhar.	Copper Alloy Gate Globe & Chec	0778	84
92.	9255684	2000/07	Electrical Equipment Corporation 251, Rajiv Nagar Bus Stand Road, Gurgaon.	Intrinsically Safe Elec. Appara.	05780	80
93.	9255785	2000/08	Samsun Cables Industries Vill. Begampur Khatola Behram pur Road, Gurgaon.	Ballasts for Fluorescent	01534 01	77
94.	9255886	2000/07	Kiran Industries B-12 Focal Point Khanna-144401.	Compounded Feed for Cattle	02052	79
95.	9255987	2000/08	Merino Panel Products Ltd. 44 Km. Delhi Rohtak Road Vill Rohad, Jhajjar-124501.	Decorative Thermosetting Synthe	02046	95
96.	9256080	2000/08	Elosha Pan 40 HSIDC Industrial Estate, Kundli, Sonapat.	Disinfectant Fluids, Phenolic Type	01061	97
97.	9256181	2000/08	Bharat Industries (Regd.) G.T.Road Dinanagar, Durdaspur.	Conduit for Electrical, Install	09537 02	81
98.	9256282	2000/07	Northern Minerals Ltd. Daultabad Road, Gurgaon-122001.	Pesticides Diflubenzuron WP	14186	94
99.	9256383	2000/08	Glowel India E-1 Sanjay Colony Sector 23, Faridabad-121005.	Ballasts for Eluorescent	01534 01	77
100.	9256484	2000/07	Punjab Pipe Industries Mansa Patiala Highway VPO Khaila Kalan, Mansa.	Precast Concrete Pipes	00458	88
101.	9256585	2000/07	Golden Plywood Industries Pvt. Ltd. Mullan Road VPO Hambran Ludhiana.	Veneered Decorative Plywood	01328	96

1	2	3	4	5	6	7
102.	9256686	2000/08	Ved Prakash Mittal and Sons W-9 Industrial Area opp. Modi Mills Yamunanagar.	Block Boards	01659	90
103.	9256787	2000/08	Lancer Home Appliances Pvt. Ltd. Plot No. 10, first floor Shiv Colony behind Rachna Cinema Sector 22 Faridabad-121005.	Domestic Gas Stoves	04246	92
104.	9256888	2000/08	Sudarshan Steel Ltd. Lane No. 2 Phase 2 SIDCO Industrial Complex Bari Brahmna Jammu, (J&K).	Steel for General Structural purposes	02062	99
105.	6256989	2000/08	Bharat Dairy Udyog Bharatpur Agra Road Firozpur Jhirka Gurgaon-122104.	Skimmed milk Powder	13334 01	98
106.	9257082	2000/07	Fungicides India Ltd. Lane No. 4 Phase II SIDCO Industrial Complex Bari Brahmna Jammu.	Acephate SP	12916	90
107.	9257183	2000/07	Fungicides India Ltd. Lane No. 4 Phase II SIDCO Industrial Complex Bari Brahmna Jammu.	Cypermethrin EC	12016	87
108.	9257284	2000/08	G.R. Solvent & Allied Industries Ltd. Village Adalpurta J PO Kailsa Opp. Kailsa Railway Station J.P. Nagar.	Compounded Feed for Cattle	02052	79
109.	9257385	2000/08	Unique Plywood (P) Ltd. Vill. Halajpur Jatola Road Sonapat.	Block Boards	01659	90
110.	9257486	2000/08	Shanker Spun Pipes Nabha Bhawani Road VPO Majhi Sangrur.	Precast Concrete Pipes	00458	88
		2000/07	Allwyn Enterprises (India) 116, Industrial Area Ludhiana.	Domestic Elec. Food Mixer	04250	80
			Sunray Agro Chemicals Vill Noorpur Sethan Ferozepur-152001.	Monocrotophos SI	08074	90
			Pooja Decorative Plywood Vill. Kani Majra to Shadipur Khajuri Road Yamuna Nagar.	Plywood for General purposes	00303	89
			Ashoka C Bilaspur bye pass, Jagadhri.	Block Boards	01659	90
	57991	2000/08	Star Plyboards Ltd. Vill. Gandholi opp. Tejli Sports Complex, Yamunanagar.	Plywood for concrete shuttering	04990	93

1	2	3	4	5	6	7
116.	9258085	2000/09	Sach Foods Vill. Nejiakhhera near Dera Sacha Sauda Dham, Sirsa.	Biscuits	01011	92
117.	9258185	2000/09	Illahi Cement Industries Indl. Extension Area, Anchidora, Anantnag (J&K).	43 grade OPC	08112	89
118.	9258286	2000/09	Illahi Cement Industries Indl. Extension Area, Anchidora, Anantnag (J&K)-19210107	53 grade OPC	12269	87
119.	9258387	2000/09	Talwar Jewellers SCF 9-10 Sector 22-D, Chandigarh.	Gold and Gold Alloys Jewellery	01417	99
120.	9258488	2000/09	RD Cement Industries Pvt. Ltd. Plot No. 123 Vill. Churuwa, PO. Dostpur (Sahgo) Racharawan Raebareilly.	43 grade OPC	08112	89
121.	9258589	2000/09	Shalimar Petro Products Pvt. Ltd. Nandgaon Road, Vill. Barhana Kosi Kalan, Mathura.	Glass fibre based Bitumen	07193	94
122.	9258690	2000/09	Bamba Cement (P) Ltd. Vill. Prithipura Muralia, Tehsil, Bishnah, Jammu.	Portland Pozzolana Cement	01489 02	91
123.	9258791	2000/09	Hindustan Tyre Co. Kanganwal, G.T. Road Ludhiana-141120.	Cycle & Rickshaw Pneumatic Tyre	02414	91
124.	9258892	2000/09	Hindustan Tyre Co. Kanganwal, G.T. Road Ludhiana-141120.	Cycle Rubber Tubes	02415	92
125.	9258993	2000/09	Jagdambe Industries Vill. Godaipur, PO Randhawa Masandha, Jalandhar-144004.	Malleable Cast Iron Pipe Fittings	01879	87
126.	9259086	2000/09	Juneja Metal Works Vill. Variana, PO Basti Guzan, Kapurthala Road, Jalandhar.	Cast Iron Fittings for pressure	01538	93
127.	9259187	2000/09	Pankaj Metal Industries (Regd.) 80, Dada Colony, Jalandhar-144004.	Malleable cast iron pipe fittings	01879	87
128.	9259288	2000/09	Myna Electronics Pvt. Ltd. 106 Udyog Vihar Phase IV, Gurgaon.	Sodium Vapour Lamp	09974 01	81
129.	9259389	2000/09	Rama Bitumen Products Vill. Saroorpur, Pali Nagla Road, Faridabad.	Bitumen felt for water proofing	01322	93
130.	9259490	2000/10	Sumpatti Appliances Pvt. Ltd. 2682 Urban Estate, Dugri Road, Ludhiana.	Household Sewing Machines	01610	89
131.	9259591	2000/10	Sputnik Switchesgear (P) Ltd. G.T. Road Goraya, Jalandhar.	Low-Voltage Switchgear	13947 03	93

1	2	3	4	5	6	7
132.	9259692	2000/09	Coirfoam (India) Pvt. Ltd. 14/6 Mathura Road, Faridabad-121003	Rubberized Cojj. Sheets for cushioning	08391	87
133.	9259793	2000/10	Sagar Engg. Works Gali no. 2, Prem Nagar Hoshiarpur Road bye pass chowk near Lamba Pind Chowk Jalandhar.	Copper alloy gate globe & Chec	00778	84
134.	9259894	2000/10	Mangla Home Appliances Friends Enclave, Singhu Border Kundli Sonapat-131028.	Domestic gas stoves	04246	92
135.	9259995	2000/10	Golden Plywood Indst. (P) Ltd. Mullanpur Road, VPO Humbran Ludhiana.	Marine Plywood	00710	76
136.	9260071	2000/10	Samrat Plywood Ltd. Habetpur Road, Derabassi Patiala.	Plywood for concrete shuttering	04990	93
137.	9260172	2000/10	Samrat Plywood Ltd. Habetpur Road, Derabassi, Patiala.	Marine Plywood	00710	76
138.	9260273	2000/10	Mayank Prestress Industries Allahabad Banda Road, Vill. Khutaha, (Shiv Rampur) Chitrakoot.	Precast concrete pipes	00458	88
139.	9260374	2000/10	G.S. Castings 404/2/3/4 Vill. Sirsawa Ladwa Road, Kurukshetra.	Sand cast iron Spigot and socke	01729	79
140.	9260475	2000/08	Star Plyboards Pvt. Ltd. Vill. Gandholi Opp. Tejli Sports Complex Yamuna Nagar-135001.	Marine Plywood	00710	76
141.	9260576	2000/09	Unique Plywoods Pvt. Ltd. Vill. Halalpur, Jatola Road, Sonapat.	Veneered Decorative Plywood	01328	96
142.	9260677	2000/10	Ajanta Industries 184/6 Damdama Road, Vill. Bhondsi, Teh. Sohna Gurgaon.	Synthetic food colour	05346	94
143.	9260778	2000/10	Accurate Engineering Works Street No. 3 Durgi Road near Canal Bridge, Ludhiana.	Crop Protection equip. rocker	03062	95
144.	9260879	2000/10	Accurate Engineering Works Street No. 3 Dugri Road, near Canal Bridge, Ludhiana-141002.	Crop protection—Foot Sprayer	03652	95
145.	9260980	2000/6	Fungicides India Ltd., Lane No. 4, Phase 2, SIDCO Indl. Complex, Bari Brahmna, Jammu.	Ziram Colloidal, Suspension	11010	84

1	2	3	4	5	6	7
146.	9261073	2000/06	Fungicides India Ltd. Lane No. 4, Phase 2, SIDCO Indl. Complex, Bari Brahmna, Jammu.	Quinalphos EC	08028	87
147.	9261174	2000/10	Double Aay Casting (India) E-20, Industrial Area, Jalandhar.	Malleable Cast Iron Pipe Fitting	01879	87
148.	9261275	2000/10	Thaper Industries, D-189, Focal Point Extension, Jalandhar.	Ammonia Valve	11132	85
149.	9261376	2000/10	Gurunanak Iron Industries, NH-26, Lalitpur Road, Babina, Jhansi.	Power Threshers	09020	79
150.	9261477	2000/10	Kaushal Foods, Plot No. 4, Industrial Area, Tahliwal, Una.	Biscuits	01011	92
151.	9261578	2000/10	V. M. Timber Industries, 7, SICOP Industrial Estate, Kathua (J&K).	Portland Pozzolana Cement	01489 02	91
152.	9261679	2000/10	Bharat Steel Tubes Ltd., BST Road, Ganaur-131101, Distt. Sonapat.	Mild Steel Tubes, Tubulars	01239 01	90
153.	9261780	2000/10	Shree Gopal Udyog, Khajuri Road, Shadipur, Yamunanagar.	Plywood for General Purposes	00303	89
154.	9261881	2000/10	Sant Ram Mangat Ram Jewellers, 34, Bhadaur House, Ludhiana.	Gold and Gold Alloys, Jewellery/Artefacts	01417	99
155.	9261982	2000/10	Kitply Industries Ltd., Shahbad Road, Rampur (UP)-244901	Veneered Practical Board	03097	80
156.	9262075	2000/10	Haroon Cement Factory (P) Ltd. Lar, Ganderbal Srinagar, Kashmir.	Portland Pozzolana Cement	01489 02	91
157.	9262176	2000/10	JECO Malleables Pvt. Ltd. C-68, Focal Point Extension, Jalandhar.	Malleable Cast Iron Pipe Fitting	01879	87
158.	9262277	2000/10	Chemico India, D-3, Focal Point, Jalandhar City.	Ferrules for Water Services	02692	89
159.	9262378	2000/11	Asian Cement, 12, Industrial Estate Extn., Kathua (J&K).	53 Grade OPC	12269	87
160.	9262479	2000/10	Kapila Krishi Udyog (P) Ltd., Tatiaganj, G.T. Road, Kanpur.	Compounded Feed for Cattle	02052	79
161.	9262580	2000/10	Satya Deep Udyog, Mohammadpur Mathura Road, Agra-282007.	Sand Cast Iron Spigot and Socke	01729	79

1	2	3	4	5	6	7
162.	9262682	2000/10	Jolly Exports, Vill. & P.O. Randhawa Masanda, Jalandhar-144004.	Malleable Cast Iron Pipe Fittings	01879	87
163.	9262782	2000/11	Master Tools Corporation, 211, Basti Nav Jalandhar.	Pipe Wrenches	04003 01	78
164.	9262883	2000/11	Master Tools Corporation, 211, Basti Nav, , Jalandhar.	Pipe Wrenches	04003 02	86
165.	9262984	2000/08	Trimurty Pesticides, Vill. Jhamari, P.O. Lalru, Distt. Patiala.	Monocrotophos SI	08074	90
166.	9263077	2000/07	Trilo Agro Industries Ltd., Vill. Jhameri, Distt. Patiala.	Dichlorvos EC	05277	78
167.	9263178	2000/08	Preeti Plyboards Pvt. Ltd. Amadalpur Road Buria Chowk, Jagadhri, Distt. Yamunanagar.	Fire Retardant Plywod	05509	80
168.	9263279	2000/10	Northern Minerals Ltd., Daultabad Road, Gurgaon-122001.	Wettable Sulphur Powder	03383	82
169.	9263380	2000/11	Shree Gopal Udyog, Khajuri Road, Shadipur, Yamunanagar.	Block Board	01659	90
170.	9263481	2000/11	Rajasthan Cement Industries, Industrial Area SICOP Kathua, J&K-184102.	43 Grade, OPC	08112	89
171.	9263582	2000/09	Amsons Chemicals India, Vill. Garhi Chhaju Samalkha, Panipat.	Monocrotophos SI	08074	90
172.	9263683	2000/11	Haryana Wood Products, Vill. Mukarabpur Chhachhrauli Road, Jagadhri, Distt. Yamunanagar.	Plywood for General Purposes	00303	89
173.	9263784	2000/11	Amar Valves Products, S-63, Industrial Area, Jalandhar-144004.	Copper Alloy Gate Globe & Chec	00778	84
174.	9263885	2000/11	Spectrum Mercantile Pvt. Ltd. Vill. Gangapur 5 km Stone, Moradabad Road, Kashipur, Distt. U.S. Nagar.	Unplasticized PVC Pipes	04985	88
175.	9263986	2000/11	Mittal Steel Works, Mittal Udyog Building, Ladowali Road, Jalandhar.	Domestic Pressure Cookers	02347	95
176.	9264079	2000/11	Sarvottam Pumps Ltd., 316, Sector 24, Faridabad-121005.	Electric Instantaneous Water Heaters	08978	92

1	2	3	4	5	6	7
177.	9264180	2000/11	Sarvottam Pumps Ltd., 316, Sector 24, Faridabad-121005.	Stationary Storage Elec. Water Heaters	02082	93
178.	9264281	2000/11	Prashant Chemical Works, 381, K. Afim Kothi, Pratapgarh.	Disinfectant Fluids, Phenolic Type	01061	97
179.	9264382	2000/09	Modern Insecticides Ltd. C-162, A Focal Point Phase-I, Dhandari Kalan, Ludhiana.	Cypermethrin EC	12016	87
180.	9264483	2000/09	Modern Insecticides Ltd. C-162, A Focal Point Phase-V, Dhandari Kalan, Ludhiana.	Pesticide Anilophos	13403	92
181.	9264584	2000/09	Modern Insecticides Ltd. C-162, A Focal Point Phase-V, Dhandari Kalan, Ludhiana.	Butachlor EC	09356	80
182.	9264685	2000/09	Modern Insecticides Ltd. C-162A, Focal Point, Phase-V, Dhandari Kalan, Ludhiana.	Quinnialphos EC	08028	87
183.	9264786	2000/09	Modern Insecticides Ltd. C-162A, Focal Point, Phase-V, Dhandari Kalan, Ludhiana.	Chlorpyrifos EC	08944	78
184.	9264887	2000/11	B. R. Mechanical Corporation, 265/2, Ahata Faquir Chand, Samrala Road, Ludhiana.	Household Sewing Machines	01610	2000
185.	9264988	2000/11	Oasis Appliances, 170, Baba Hirdey Ram Industrial Area, Mujessar, Faridabad-121005.	Stationary Storage Ele. Water Heaters	02082	93
186.	9265081	2000/11	Khanna Engineers, Plot No. 1, Badkhal Lake Chowk, Opp. Food Craft Institute, Pali Road, NIT, Faridabad-121001.	Stationary Storage Elec. Water Heaters	02082	93
187.	9265182	2000/11	Andotra Cement Industries, Industrial Extension Area, Kathua.	Portland Slag Cement	00455	89
188.	9265283	2000/11	Cattle Feed Plant, Kichha Bye Pas Road, Rudrapur, Distt. U.S. Nagar.	Compounded Feed for Cattle	02052	79

1	2	3	4	5	6	7
189.	9265384	2000/11	Rozy Sewing Machine Company, Plot No. 1, Sherpur Chowk near Impact Scooters, Ludhiana.	Household Sewing Machines	01610	2000
190.	9265485	2000/12	Omid Engineering (P) Ltd. V&PO Deolio, Tehsil AMB Distt. Una.	Welded Low Carbon Steel Cylinders	03196 01	92
191.	9265586	2000/12	Krishna Cylinders, Vill. Nasirpur, Hissar Road, Ambala City.	Welded Low Carbon Steel Cylinders	03196 01	92
192.	9265687	2000/11	Modern Insecticides Ltd. C-162A, Phase-VC, Focal Point, Dhandari Kalan, Ludhiana.	Ethion EC	10319	82
193.	9265788	2000/08	Trimurti Pesticides, Vill. Jharmari, P.O. Lalru, Distt. Patiala.	Endosulfan EC	04323	80
194.	9265889	2000/08	Trilo Agro Industries Ltd., PO Kakru 40 Km. Stone Chd Delhi Highway Vill. Jharmari Distt : Patiala.	Acephate SP	12916	90
195.	9265990	2000/12	Mercury Cylinders (P) Ltd., UPSIDC Industrial Area Side B Agra Road Mathura.	Welded Low Carbon Steel Cylinders	03196 01	92
196.	9266083	2000/11	Gainda Mal Chiranji Lal VPO Chandimandir Distt. : Panchkula.	Cement Concrete Flooring Tiles	01237	80
197.	9266184	2000/12	S.K.N. Industries, Khasra No. 21/18, 19,22,23,28/4 Delhi-Jaipur Highway Dharuhera, Rewari.	Welded Low Carbon Steel, Cylinders	03196 01	92
198.	9266285	2000/12	R.R.S. Rolling Mills (P) Ltd., Kurunwala Bus Stand Barwala Road Dera Bassi, Distt. : Patiala-140507	Deformed Steel, Bars and Wires for Concrete Reinforcement	01786	85
199.	9266386	2000/12	Basant Pipe Industries Shed No. 1B Industrial Estate Chambaghat Solan-173213	Polyeth Pipes for Potable Water	04984	95
200.	9266487	2000/12	H.P. Agro Industries Corp. Ltd., Plot No. 8 Sector 5, Parwanoo-173220	Chlorpyrifos EC	08944	78
201.	9266588	2000/12	Essen Appliances Vill. Gulabgarh Barwala Road, Derabassi.	Welded Low Carbon Steel Cylinders	03196 01	96

[No. CMD-1/13 : 11]

P. DAKSHINAMURTY, Addl. Director General

नई दिल्ली, 25 अप्रैल, 2003

का.आ. 1336.— भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :—

अनुसूची

क्रम लाइसेंस सं. संख्या	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंस धारी का नाम व पता	भारतीय मानक का शीर्षक	भा मा संख्या	भाग अनु. वर्ष
(1) (2)	(3)	(4)	(5)	(6)	
1. 6363773	2002-11-27	मैसर्स अभरण जेवलर्स, डी. न. 10-3-4 कारपोरेशन बैंक रोड, उडुपि-576101	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट (तीसरा पुनरीक्षण)	01417	99
2. 6363874	200-11-27	मैसर्स गंगे प्यूरिफाइड वॉटर, प्लॉट नं. 4, श्री वेंकटाचलापति नगर शुवरिमन कोचडई, मदुरई-625 016	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
3. 6363975	2000-11-18	मैसर्स सुधाकर इंजिनेशन सिस्टम्स प्रा. लि., बालाराम थाण्डा समीप इंडस्ट्रियल एस्टेट, सूर्यपट्ट नलगौडा जिला 508214	पेय जल आपूर्ति के लिए गैर प्लास्टिक-कृत पीवीसी पाइप (तीसरा पुनरीक्षण)	04985	2000
4. 6364068	2000-11-20	मैसर्स श्री वेंकटा साई इंडस्ट्रीज, रेडलाकुन्ता गांव कोडाड मंडल, नलगौडा जिला (आ. प्र.)	43 ग्रेड साधारण पोर्टलैंड सीमेंट (पहला पुनरीक्षण)	08112	89
5. 6364169	2002-11-02	मैसर्स चेन्नई ऐजन्सिस, 3/108 सेम्बोलिवराम शोलावरम पोस्ट, चेन्नई 600067	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
6. 6364270	2002-11-13	मैसर्स कॉन्फिडेंड डेन्टल इक्विपमेंट्स लि., नं. 7, पीटी चान्नापा इंड. एस्टेट, कामाक्षीपलायम मगडी रोड, बंगलौर 560079	चिकित्सकीय विद्युत उपस्कर नैदानिक भाग 1 सामान्य और सुरक्षा अपेक्षाएं (पहला पुनरीक्षण)	07620	01. 86
7. 6364371	200-12-03	मैसर्स श्री बालाजी एग्रो प्रॉडक्ट्स, 79 के, ज्योति नगर एक्सटेंशन, भारत नगर पडियनाल्लूर चेन्नई 602052	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
8. 6364472	200-11-27	मैसर्स केरला ज्वेलर्स, 34 पोंडी बाजार, टी. नगर, चेन्नई 600017	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट (तीसरा पुनरीक्षण)	01417	99

(1)	(2)	(3)	(4)	(5)	(6)	
9.	6364573	2002-12-02	मैसर्स तेजकमल ट्रेड लिक्स प्राइवेट लिमिटेड, नं. 3, बॉमर कॉम्प्लेक्स बॉमर इंडस्ट्रियल एस्टेट, नागसान्द्रा पोस्ट, बंगलौर 560073	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
10.	6364674	2002-12-03	मैसर्स माडर्न प्लास्टिक कारपोरेशन, प्लॉट नं. 10, आईडीए, फेस 1, चेरलापल्ली आर आर जिला (आ. प्र.) हैदराबाद 500031	53 ग्रेड साधारण पोर्टलैंड सीमेंट	12269	87
11.	6264775	2002-12-03	मैसर्स रॉयल एक्वा फार्म, एस. नं. 144/4 और 146/1 बी पॉमर रोड, तिरुपूरु यूनियन माम्बक्कम, काँचीपुरम जिला	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
12.	6264876	2002-12-02	मैसर्स श्री तिरूमलागिरि पुलवराइजर्स (प्रा) लि., सर्वे नं. 102/1 के. अग्राहरम जगियाहपेट कृष्णा लि. (आ. प्र.)	43 ग्रेड साधारण पोर्टलैंड सीमेंट (पहला पुनरीक्षण)	08112	89
13.	6364977	2002-12-03	मैसर्स श्री रामा पुलवराइजर्स, चिल्लापल्ली गाँव, नेरुडूचेरला मंडल, नलगौंडा जिला (आ. प्र.)	43 ग्रेड साधारण पोर्टलैंड सीमेंट (पहला पुनरीक्षण)	08112	89
14.	6365070	2002-12-03	मैसर्स गंगा मिनरल वॉटर प्रॉडक्ट्स, 41/1, गंगा निवास पुथूरु गाँव, मप्पेरु सेलाईयूर, चेन्नई 600073	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
15.	6365171	2002-12-04	मैसर्स सोपानम जेवल्स, कलामबलम पी ओ, त्रिवेन्द्रम	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट (तीसरा पुनरीक्षण)	01417	99
16.	6365272	2002-12-04	मैसर्स जैन ट्रेडिंग कारपोरेशन (बिग ज़िप) 413 ब्रवनकेरे मेन रोड, धर्मराम कॉलेज पोस्ट, बंगलौर 560029	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
17.	6365373	2002-12-03	मैसर्स श्री पार्श्वनाथ इंडस्ट्रीज, नं. 54, 2रा मेन रामाचन्द्रा, बंगलौर 560021		06616	82

(1)	(2)	(3)	(4)	(5)	(6)	(7)
18.	6365474	2002-12-11	मैसर्स बरानी इंडस्ट्रीज, 38 और 39 रामाकृष्णापुरम, गणपति कोयम्बतूर 641006	स्वच्छ ठंडे पानी के लिए पम्प पुनर्योजी	08472	98
19.	365575	2002-12-02	मैसर्स बरानी इंडस्ट्रीज, 38 और 39 रामाकृष्णापुरम, गणपति कोयम्बतूर 641 006	जेट अपकेन्द्री पम्प सम्मिलित	12225	97
20.	6365676	2002-12-05	मैसर्स महारानी ज्वेलर्स, ए. जे. टॉवर्स माथनम, वारकला 695 141	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट (तीसरा पुनरीक्षण)	01417	99
21.	6365777	2002-12-02	मैसर्स आरवीएस हाईजनिक् वॉटर कं., 3/1119-2 सेट्टीगुंटा रोड, नेल्लोर 524 002	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
22.	6365878	2002-12-03	मैसर्स अटल बॉटलिंग कम्पनी, 6-17-1625 गुबाबाडी रोड डुबा, निजामाबाद 503 001	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
23.	6365979	2002-12-05	मैसर्स अरिहन्त बिजनेस सिस्टम, नं. 65/2, आर-16, 17, 18 केसीजी इंडस्ट्रियल एस्टेट, मागडी मेन रोड, कामाक्षीपलया, बंगलौर 560 079	विद्युत संस्थापन के लिए कंड्यूट भाग 3 कंड्यूट विद्युत रोधक सामग्री के लिए दृढ़ सांद्र कंड्यूट	09537 03	83
24.	6366072	2002-11-25	मैसर्स डासमी पॉलिमर्स, एसएफ नं. 33/2 कल्लूकथु थोट्टम, पीडमपल्ली (पी ओ) पलाडम (टी के), कोयम्बतूर 641 016	पानी के भण्डार हेतु प्लास्टिक की टंकियाँ	12701	96
25.	6366173	2002-12-05	मैसर्स अकरम एक्वा प्यूरी, एस नं. 179/1 चल्लारेडिपालेम गाँव, वेतापालेम मण्डल, प्रकासम जिला 523 187	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
26.	6366274	2002-12-18	मैसर्स एक्वा मारिया एग्रो इंटरप्राइज, ब्लूम फील्ड एस. नं. 104/5, मुट्टकाडू कोवलम 603 112	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
27.	6366375	2002-12-18	मैसर्स निग्रा मिनरल वॉटर, नं. 135, मडिचुर मेन रोड, लक्ष्मी नगर, तम्बारम, चेन्नई 600 048	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98

(1)	(2)	(3)	(4)	(5)	(6)	(7)
28.	6366476	2002-11-12	मैसर्स बोन पॉलिमर्स (प्रा) लि., 485/5 14वाँ क्रॉस 4था फेस पीनया इंडस्ट्रियल एरिया, बंगलौर 560 058	लेटेक्स फोम रबड़ उत्पाद	01741	60
29.	6366577	2002-12-04	मैसर्स अपूर्वा पाइप्स प्रा लि., प्लॉट नं. 43 केआईएडीबी इंडस्ट्रियल एरिया, 1 स्टेज मुन्दर्गी गाँव, बेल्लारी 583 102	पेयजल आपूर्ति के लिए गैर- प्लास्टिकृत पीवीसी पाइप (तीसरा पुनरीक्षण)	04985	2000
30.	6366678	2002-12-16	मैसर्स प्रीमियर एरोमोटिक्स, नं. 68, शिगेहल्ली मेल रोड, यशवंतपुर होबली नाथ, बंगलौर	संश्लिष्ट खाद्य रंग - निमित्तियाँ और मिश्रण	05346	94
31.	6366779	2002-12-23	मैसर्स क्वालिटी इंडस्ट्रीज, शेड नं. बी-17, सिडको इंडस्ट्रियल एस्टेट, मरईमलाई नगर 603 209	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
32.	6366880	2002-12-24	मैसर्स एसीएल सीमेंट्स (प्रा) लि., सर्वे नं. 243/59 से 66 और 89 के. एस. रोड, थन्डलपौंड तालुक, त्रिवेल्लूर 601 201	पोर्टलैंड पोजोलाना सीमेंट भाग 1 प्लाईएश आधारित (तीसरा पुनरीक्षण)	01489 01	91
33.	6366981	2002-12-20	मैसर्स आर्क-प्लाई-एन-बोर्ड्स, कुन्जाधूर पी ओ मन्जेस्वर, केसरगढ़ 671 323	लकड़ी के सपाट दरवाजे के शटर (ठोस को प्रकार) भाग 1 प्लाईवुड सतहयुक्त पल्ले	02202 01	99
34.	6367074	2002-12-20	मैसर्स एम आईएल कंट्रोलस लिमिटेड, मेल्लाडोर पी. ए. माला त्रिस्सूर जिला 680 741	बिजली के उपकरणों के लिए ज्वालासह आवरण (दूसरा पुनरीक्षण)	02148	81
35.	6367175	2002-12-20	मैसर्स आर. एस. ए. पॉलिमर्स (प्रा) लि., एडावूर पी आर कॉवम्पडी, एर्नाकुलम 683 544	पेयजल आपूर्ति के लिए गैर- प्लास्टिकृत पीवीसी पाइप (तीसरा पुनरीक्षण)	04985	2000
36.	6367276	2002-12-17	मैसर्स तिरुपति उद्योग लि., इंडस्ट्रियल एरिया, कोथूर गाँव, मेहबूबनगर जिला 509 325	कंक्रीट प्रबलन के लिए उच्च सामर्थ्य विन्धपित इस्पात के सरिए और तार	01786	85
37.	6367377	2002-12-26	मैसर्स स्टर्लिंग एक्वा प्रॉडक्ट्स, 63, मदुरई नायकन स्ट्रीट मदुरावोयल, चेन्नई 602 102	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98

(1)	(2)	(3)	(4)	(5)	(6)	(7)
38.	6367478	2002-12-26	मैसर्स मॉडर्न मिनरल्स मीनाक्षी सुब्रामण्यन गार्डन, मॉडर्न सिटी नार्थ अन्ना नगर, पत्ताबीराम चेन्नई 602 072	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
39.	6367579	2002-12-26	मैसर्स प्रिन्स जेवेलरी 20/53 सी क्वीन्स रोड, वटाकारा, कांझीकोडे 673 001	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट (तीसरा पुनरीक्षण)	01417	99
40.	6367680	2002-12-16	मैसर्स इको एक्वा वॉटर्स प्राइवेट लिमिटेड, 29, II फेस जिगानी इंडस्ट्रियल एरिया, अनेकल तालुक, बंगलौर 562 106	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
41.	6367781	2002-12-16	मैसर्स शार्प टूल्स - मोटर डिवीजन 111 अन्नूर रोड, अरासूर पोस्ट, कोयम्बतूर 604 407	एक फेजी लघु ए सी. और सार्विक बिजली की मोटर (दूसरा पुनरीक्षण)	00996	79
42.	6367882	2002-12-30	मैसर्स सन इंडस्ट्रीज, 1/1 कुमारन स्ट्रीट, चेन्नई 604 407	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
43.	6367983	2002-12-26	मैसर्स सुरभि एक्वा इंटरनेशनल, प्लॉट नं. एल-9 और 10 इंडस्ट्रियल एस्टेट, बी. एच. रोड, तुमकुर 572 103	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98
44.	6368076	2002-12-05	मैसर्स एल. बजरंग प्रसाद एण्ड कं., 22-5-118/119 कलिकामान रोड, गुलजार हाउस, हैदराबाद 500 002	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट (तीसरा पुनरीक्षण)	01417	99
45.	6368177	2002-12-30	मैसर्स महाकाली इंटरनेशनल, एस. नं. 548, 978 चेन्नई- पेरियापलायम रोड, कनियापेयर गाँव, उथुकोट्टई तालुक, तिरुवल्लूर जिला 601 102	पैकेजबन्द मिनरल वॉटर (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) विशिष्ट	14543	98

[सं. सी एम डी-1/13 : 11]

पी. दक्षिणामूर्ति, अपर महानिदेशक

New Delhi, 25th April, 2003

S. O. 1336.—In pursuance of sub-regulation (5) of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule :

SCHEDULE

Sl. No.	Licence No.	Operative (Date/Year/ Month)	Name & Address of the Party	Title of the Standard	IS No.	Part	Sec.	Year
1	2	3	4	5	6			7
1.	6363773	2002/11/27	M/s. Abharan Jewellers D.No. 10-3-4 Corporation Bank Road Udupi-576101	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and marking- Specification (Third Revision)	01417			99
2.	6363874	2002/11/27	M/s. Gangai Purified Water Plot No. 4, Sri Venkatachalapathy Nagar Thuvarjman Kochadai Madurai-625016	Specification for Packaged Drinking water (other than Packaged Natural, Mineral Water)	14543			98
3.	6363975	2002/11/18	M/s. Sudhakar Irrigation Systems Pvt. Ltd. Balaram Thanda near Industrial Estate Suryapet Nalgonda District-505214	Unplasticized PVC Pipes for Potable Water Supplies Specification (Third Revision)	04985			2000
4.	6364068	2002/11/20	M/s. SRI Venkata Sai Industries Redlakunta Village Kodad Mandai, Nalgonda, District (A.P.)	Specification for 43 Grade Ordinary Portland Cement (First Revision)	08112			89
5.	6364169	2002/12/02	M/s. Chennai Agencies 3/108, Sembilivaram Sholavaram Post Chennai-600067	Specification for Packaged Drinking Water (other than Packaged Natural Mineral Water)	14543			98
6.	6364272	2002/11/13	M/s. Confident Dental Equipments Ltd. No. 7, Pete Channapa Ind. Estate Kamakshipalya Magadi Road, Bangalore-560079	Specification for Diagnostic Medical X-Ray Equipment- Part 1-General and Safety Requirements (First Revision)	07620	01		86
7.	6364371	2002/12/03	M/s. Sri Balaji Agro Products 79K, Jothi Nagar Extension Bharat Nagar Padianallur Chennai-602052	Specification for Packaged Drinking Water (other than Packaged Natural Mineral Water)	14543			98

1	2	3	4	5	6	7
8.	6364472	2002/11/27	M/s. Kerala Jewellers 34, Pondy Bazaar T. Nagar Chennai-600017	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification (Third Revision)	01417	99
9.	6364573	2002/12/02	M/s. Tejkamal Trade Links Private Limited No. 3, Belmar Complex Belmar Industrial Estate Nagasandra Post Bangalore-560073	Specification for Packaged Drinking Water (other than Packaged Natural Mineral Water)	14543	98
10.	6364674	2002/12/03	M/s. Modern Plastic Corporation Plot No. 10, IDA Phase I, Cherlapally R.R. District (AP) Hyderabad-500031	Specification for 53 Grade Ordinary Portland Cement	12269	87
11.	6364775	2002/12/03	M/s. Royal Aqua Farm S. No. 144/4 & 146/1B Ponmar Road Tiruporur Union Mambakkam Kancheepuram District	Specification for Packaged Drinking Water (other than Packaged Natural, Mineral Water)	14543	98
12.	6364876	2002/12/02	M/s. Sri Tirumalagiri Pulvarizers (P) Ltd., Survey No. 102/1 K. Agraharam Jaggaiahpet Krishna District (A.P.)	Specification for 43 Grade Ordinary Portland Cement (First Revision)	08112	89
13.	6364977	2002/12/03	M/s. Sri Rama Pulverisers Chillapally Village Nerudacherla Mandal Nalgonda District (A.P.)	Specification for 43 Grade Ordinary Portland Cement (First Revision)	08112	89
14.	6365070	2002/12/03	M/s. Ganga Mineral Water Product 41/1, Ganga Nivas Puthur Village Mappedu Selaiyur, Chennai-600073	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
15.	6365171	2002/12/04	M/s. Sopanam Jewellers Kallambalam P.O. Trivandrum	Gold and Gold Alloys, Jewellery/Artefacts-Fineness and Marking-Specification (Third Revision)	01417	99
16.	6365272	2002/12/04	M/s. Jain Trading Corporation (Big Zip) 413, Tavarakere Main Road Dharmaram College Post Bangalore-560029	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98

1	2	3	4	5	6	
17.	6365373	2002/12/03	M/s. SRI Parshwanath Industries No. 54, II Main Ramachandra Bangalore-560021	Ballasts for high pressure Mercury Vapour Lamps (First Revision)	06616	82
18.	6365474	2002/12/11	M/s. Barani Industries 38&39 Ramakrishnapuram Ganapathy Coimbatore-641006	Pumps Regenerative or Clear, Cold Water Specification (First Revision)	08472	98
19.	6365575	2002/12/02	M/s. Barani Industries 38&39 Ramakrishnapuram Ganapathy Coimbatore-641006	Centrifugal Jet Pump—Specification (First Revision)	12225	97
20.	6365676	2002/12/05	M/s. Maharani Jewellers A. J. Towers Mathanam Varkala-695141	Gold and Gold Alloys, Jewellery/Artefacts-Fineness and Marking-Specification (Third Revision)	01417	99
21.	6365777	2002/12/02	M/s. RVS Hygenic Water Co. 3/1119-2 Settygunta Road, Nellore-524002	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
22.	6365878	2002/12/03	M/s. Attal Bottling Company 6-17-1625 Gubabadi Road, Dubba, Nizamabad-503001	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
23.	6365979	2002/12/05	M/s. Arihant Business System No. 65/2, R-16, 17, 18 KCG Industrial Estate Magadi Main Road Kamakashipalya Bangalore-560079	Conduits for Electrical Installations Part 3, Rigid Plain Conduits of Insulating Materials	09537 03	83
24.	6366072	2002/11/25	M/s. Dasami Polymers SF. No. 33/2, Kallukathu Thottam Peedampalli (P.O.) Palladam (TK) Coimbatore-641016	Specification for Rotational Moulded Polyethylene Water Storage Tanks (First Revision)	12701	96
25.	6366173	2002/12/05	M/s. Akram Aqua Pure S. No. 179/1, Challareddypalem Village Vetapalem Mandal Prakasam Distict-523 187	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
26.	6366274	2002/12/18	M/s. Aqua Maria Agro Enterprise Bloom Field S. No. 104/5 Muttukadu Kovalam-603112	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98

1	2	3	4	5	6	
27.	6366375	2002/12/18	M/s. Nigra Mineral Water No. 135, Mudichur Main Road Lakshmi Nagar Tambaram Chennai-600048	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
28.	6366476	2002/11/12	M/s. Bonn Polymers (P) Ltd. 485/5, 14th Cross 4th Phase, Peenya Industrial Area Bangalore-560058	Specification for Latex Foam Rubber Products	01741	60
29.	6366577	2002/12/04	M/s. Apoorva Pipes Pvt. Ltd. Plot No. 43, Kiadb Industrial Area I Stage Mundargi Village Bellary-583102	Unplasticized PVC Pipes for Potable water supplies- Specification (Third Revision)	04985	2000
30.	6366678	2002/12/16	M/s. Premier Aromatics No. 68, Shigehalli Main Road Yeshwanthpur Hobli, Bangalore North	Synthetic Food Colour— Preparations and Mixtures Specification (Second Revision)	05346	94
31.	6366779	2002/12/23	M/s. Quality Industries Shed No. B-17 SIDCO Industrial Estate, Maraimalai Nagar-603 209	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
32.	6366880	2002/12/24	M/s. ACL Cements (P) Ltd., Survey No. 243/59 to 66 and 89 K. S. Road, Thandalchery Village Gummidipoondi Taluk Trivellore-601 201	Specification for Portland Pozzolana Cement Part I Flyash Based (Third Revision)	01489 01	91
33.	6366981	2002/12/20	M/s. Arch-Ply-N-Boards Kunjathur P.O. Manjeswar Kasargod-671 323	Specification for Wooden Flush Door Shutters (Sold Core type) Part I : Plywood Face Panels (Sixth Revision)	02202 01	99
34.	6367074	2002/12/20	M/s. Mil Controls Limited Meladoor P.A. Mala Thrissur District-680 741	Flameproof Enclosures for Electrical Apparatus (Second Revision)	01248	81
35.	6367175	2002/12/20	M/s. R. S. A. Polymers (P) Ltd., Edavoor P.O. Koovappady Ernakulam-683 544	Unplasticized PVC Pipes for Portable Water Supplies Specification (Third Revision)	04985	2000
36.	6367276	2002/12/17	M/s. Tirupati Udyog Ltd. Industrial Area Kothur Village Mahaboobnagar District-509325	Specification for High Strength Deformed Steel Bars and Wires For concrete Reinforcement (Third Revision)	01786	85

1	2	3	4	5	6	
37.	6367377	2002/12/26	M/s. Sterling Aqua Products 63, Madurai Naicken Street Maduravoyal Chennai-602 102	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
38.	6367478	2002/12/26	M/s. Modern Minerals Meenakshi Subramanian Garden Modern City North Anna Nagar Pattabiram Chennai-602 072	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
39.	6367579	2002/12/26	M/s. Prince Jewellery 20/53 C Queens Road Vatakara Kazhikode-673 002	Gold and Gold Alloys, Jewellery/Artefacts—Fineness and Marking—Specification (Third Revision)	01417	99
40.	6367680	2002/12/16	M/s. Eco Aqua Waters Private Limited 29, II Phase Jiganj Industrial Area Anekal Taluk Bangalore-562 106	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
41.	6367781	2002/12/16	M/s. Sharp Tools-Motor Division III, Annur Road, Arasur Post, Coimbatore-641 407	Single Phase Small AC and Universal Electric Motors (Second Revision)	00996	79
42.	6367882	2002/12/30	M/s. Sun Industries I/I, Kumaran Street Cheyyar-604 407	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
43.	6367983	2002/12/26	M/s. Surabhi Aqua International Plot No. L-9 & 10 Industrial Estate B. H. Road, Tumkur-572103	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98
	68076	2002/12/05	M/s. L. Bajrang Pershand & Co. 22-5-118/119 Kaljkaman Road Guljar House Hyderabad-500002	Gold and Gold Alloys, Jewellery/Artefacts—Fineness and Marking—Specification (Third Revision)	01417	99
		2/30	M/s. Mahakali International S. No. 548, 978, Chennai-Periyapalayam Road, Kanniaipair, Village Uthukottai Taluk Tiruvallur Dt. - 601 102	Specification for Packaged Drinking Water (Other than Packaged Natural Mineral Water)	14543	98

[No. EMD-1/13:11]

P. DAKSHINAMURTY, Addl. Director General

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 29 अप्रैल, 2003

का. आ. 1337.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की, भारत के राजपत्र में तारीख 13 जुलाई 2002 को प्रकाशित अधिसूचना सं. का. आ. 2289 तारीख 9 जुलाई 2002 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड की समनुषंगी) द्वारा मुन्दा -भटिंडा अपरिष्कृत तेल पाइपलाइन परियोजना के माध्यम से गुजरात राज्य में मुन्दा पत्तनीस्थित अपरिष्कृत तेल संस्थापन से पंजाब राज्य में भटिंडा तक, अपरिष्कृत तेल के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 26 अक्टूबर 2002 को उपलब्ध करा दी गई थी ;

और पाइपलाइन बिछाने के संबंध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उनका निपटान कर दिया गया है ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिर्णय किया है ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन पर केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड की समनुषंगी) में निहित होगा ।

अनुसूची

तहसील :- मुन्द्रा

जिला :- कच्छ

राज्य :- गुजरात

गाँव का नाम	सर्वे सँख्या	भाग यदि है तो	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
1. धव	169	पैकी	00	61	53
2. मुन्द्रा	द्रावस 141/1	पैकी	03	47	49
	द्रावस 141/1	पैकी	03	02	59
	द्रावस 141/1	पैकी	00	23	42
	द्रावस 141/1	पैकी	00	19	26
	द्रावस 141/1	पैकी	00	38	12
	द्रावस 141/1	पैकी	00	05	82
	द्रावस 141/1	पैकी	00	53	67
	द्रावस 141/1	पैकी	01	17	97
3. वारीइ	द्रावस 207	पैकी	00	13	05
	216		00	14	38
	219		00	06	10
	217		00	18	23
	218		00	04	26
	द्रावस 207	पैकी	00	16	48
	-	नाला	00	05	57
	द्रावस 207	पैकी	00	16	92
	-	कार्ट ट्रेक	00	01	15
	165/1		00	23	66
	165/2		00	14	30
	163/1		00	25	37
	163/2		00	05	98
	163/3		00	07	17
	162/1		00	06	35
	161/1		00	15	53
	161/2		00	01	50
	161/6		00	11	99
	161/5		00	01	10
	-	कार्ट ट्रेक	00	02	37
	170		00	24	21

तहसील :- मुन्द्रा

जिला :- कच्छ

राज्य :- गुजरात

गाँव का नाम	सर्वे सँख्या	भाग यदी है तो	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
3.बारीड (जारी...)	171/3		00	00	32
	171/4		00	07	17
	-	कार्ट ट्रेक	00	03	63
	221		00	13	66
	244/2(पुराना)		00	17	06
	-	कार्ट ट्रेक	00	00	93
	130/1		00	00	47
	131/1		00	05	59
	131/2		00	05	79
	131/3		00	06	41
	131/4		00	05	42
	131/5		00	06	03
	131/6		00	08	91
	138		00	17	74
	139		00	10	22
	-	कार्ट ट्रेक	00	00	37
	140/2		00	05	70
	142/1		00	01	42
	119	पैकी	00	00	30
4.गोवरसमा	48/1		00	16	25
	48/2		00	10	87
	48/3		00	01	38
	11		00	17	58
	10/1		00	22	00
	द्वारस 52	पैकी	00	20	62
	12/1		00	07	32

तहसील :- मुन्दा		जिला- कच्छ		राज्य :- गुजरात		
गाँव का नाम	सर्वे सँख्या	भाग यदि है तो	क्षेत्रफल			
			हेक्टर	आर	सेन्टी आर	
1	2	3	4			
4.गोवरसमा (जारी...)	12/2	पैकी पैकी कार्ट ट्रैक	00	00	16	
	12/6		00	01	09	
	12/4		00	06	80	
	12/5		00	04	80	
	12/8		00	05	07	
	14/2		00	17	88	
	14/2		00	26	03	
	-		00	01	22	
	8/1		00	08	77	
	16/1		00	17	93	
5.सडाउ	37/1		00	00	82	
6. शेग्वडीया	112	पैकी कार्ट ट्रैक	00	19	19	
	110/2		00	31	41	
	110/1		00	01	29	
	113		00	21	68	
	114		00	09	39	
	115/2		00	02	42	
	115/1		00	16	75	
	116		00	01	72	
	-		00	04	15	
	117/1		00	16	53	
	117/2		00	00	63	
	118/1		00	21	27	
	118/3		00	19	45	
	द्वारस 120		00	04	80	
	2/2		00	15	55	
	2/1		00	50	94	

तहसील :- मुन्द्रा

जिला :- कच्छ

राज्य :- गुजरात

गाँव का नाम	सर्वे संख्या	भाग यदी है तो	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
6. शेखडीया (जारी...)	- 3	कार्ट ट्रैक	00 00	04 01	46 82

[फा. सं. आर-31015/2/2002-ओ.आर-II]

हरीश कुमार, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 29th April, 2003

S. O. 1337.— Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.2289 dated the 9th July 2002, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 13th July 2002, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of crude oil from crude oil terminal at Mundra Port in the State of Gujarat to Bathinda in the State of Punjab through Mundra-Bathinda Crude Oil Pipeline by Guru Gobind Singh Refineries Limited (a subsidiary of Hindustan Petroleum Corporation Limited);

And whereas copies of the said Gazette notification were made available to the public on the 26th October 2002;

And whereas, the objections received from the public to the laying of the pipeline have been considered and settled by the competent authority;

And whereas the competent authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline.;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in the Guru Gobind Singh Refineries Limited (a subsidiary of Hindustan Petroleum Corporation Limited) free from all encumbrances.

SCHEDULE

Taluka :- MUNDRA

District :- Kutch

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
1. DHRAB	169	P	00	61	53
2. MUNDRA	Towers 141/1	P	03	47	49
	Towers 141/1	P	03	02	59
	Towers 141/1	P	00	23	42
	Towers 141/1	P	00	19	26
	Towers 141/1	P	00	38	12
	Towers 141/1	P	00	05	82
	Towers 141/1	P	00	53	67
	Towers 141/1	P	01	17	97
3. BAROI	Towers 207	P	00	13	05
	216		00	14	38
	219		00	06	10
	217		00	18	23
	218		00	04	26
	Towers 207	P	00	16	48
	-		00	05	57
	Towers 207	P	00	16	92
	-		00	01	15
	165/1		00	23	66
	165/2		00	14	30
	163/1		00	25	37
	163/2		00	05	98
	163/3		00	07	17
	162/1		00	06	35
	161/1		00	15	53
	161/2		00	01	50
	161/6		00	11	99
	161/5		00	01	10
	-		00	02	37
	170		00	24	21
		Nala			
		Cart Track			
		Cart Track			

Taluka :- MUNDRA

District :- Kutch

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
3. BAROI (Contd.)	171/3		00	00	32
	171/4		00	07	17
	-	Cart Track	00	03	63
	221		00	13	66
	244/2(Old)		00	17	06
	-	Cart Track	00	00	93
	130/1		00	00	47
	131/1		00	05	59
	131/2		00	05	79
	131/3		00	06	41
	131/4		00	05	42
	131/5		00	06	03
	131/6		00	08	91
	138		00	17	74
	139		00	10	22
	-	Cart Track	00	00	37
	140/2		00	05	70
	142/1		00	01	42
	119	P	00	00	30
4. GOVARSAMA	48/1		00	16	25
	48/2		00	10	87
	48/3		00	01	38
	11		00	17	58
	10/1		00	22	00
	Towers 52	P	00	20	62
	12/1		00	07	32

THE GAZETTE OF INDIA

Taluka :- MUNDRA		District :- Kutch		State :- Gujarat		
Name of Village	Survey No	Part if Any	ROU Area			
			Ha.	Ar.	Sq.mt.	
1	2	3	4			
4. GOVARSA (Contd.)	12/2	P Cart Track	00	00	16	
	12/6		00	01	09	
	12/4		00	06	80	
	12/5		00	04	80	
	12/8		00	05	07	
	14/2		00	17	88	
	14/2		00	26	03	
	-		00	01	22	
	8/1		00	08	77	
	16/1		00	17	93	
5. SADAU	37/1		00	00	82	
6. SHEKHADIA	112	P Cart Track	00	19	19	
	110/2		00	31	41	
	110/1		00	01	29	
	113		00	21	68	
	114		00	09	39	
	115/2		00	02	42	
	115/1		00	16	75	
	116		00	01	72	
	-		00	04	15	
	117/1		00	16	53	
	117/2		00	00	63	
	118/1		00	21	27	
	118/3		00	19	45	
	Trowers 120		00	04	80	
	2/2		00	15	55	
	2/1		00	50	94	
	-		00	04	46	
	3		00	01	82	

[No. R-31015/2/2002-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 30 अप्रैल, 2003

का. आ. 1338.— केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खंड (क) के अनुसरण में और अधिसूचना सं. का. आ. 3260 तारीख 28 नवम्बर 2002 को जो भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) तारीख 01 दिसम्बर, 2001 को प्रकाशित की गई थी अधिकृत करते हुए नीचे दी गई सारणी के स्तंभ (1) में उल्लिखित व्यक्तियों को, गुजरात राज्य में उक्त सारणी के स्तंभ (2) में विनिर्दिष्ट क्षेत्रों में अवस्थित विभिन्न उपभोक्ताओं को वितरण के लिए गुजरात में जामनगर और हजीरा स्थित एल. एन. जी. टर्मिनल से गुजरात राज्य और पार्श्वस्थ राजस्थान और मध्यप्रदेश राज्य तक पुनः वाष्पित प्राकृतिक गैस के परिवहन के लिए, मेसर्स गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कंपनी लिमिटेड (जी.टी. आई. सी. एल.), जिसका रजिस्ट्रीकृत कार्यालय आर. पी. एल. हाउस, तीसरा तल, 15 वालचंद हीराचंद मार्ग बालार्ड एस्टेट, मुम्बई-400038 में है, द्वारा पाइपलाइन बिछाने के लिए, उक्त अधिनियम के अधीन सक्षम प्राधिकारी के कृत्यों का पालन करने के लिए प्राधिकृत करती है, अर्थात् —

अनुसूची

	व्यक्तियों के नाम और पता (1)	अधिकारिता का क्षेत्र (2)
(1)	श्री के० बी० पाठक,, सेवानिवृत्त गुजरात राज्य प्रशासनिक सेवा के अधिकारी मार्फत मेसर्स गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कंपनी, आर. पी. एल. हाउस, तीसरा तल 15 वालचंद हीराचंद मार्ग बालार्ड इस्टेट, मुम्बई-400038	गुजरात राज्य के जामनगर, राजकोट, सुरेन्द्र नगर, अहमदाबाद, खेड़ा, साबरकन्था, पन्चमहल और दाहोद जिले ।
(1)	श्री ए० के० संघवी, सेवानिवृत्त गुजरात राज्य प्रशासनिक सेवा के अधिकारी मार्फत मेसर्स गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कंपनी, आर. पी. एल. हाउस, तीसरा तल 15 वालचंद हीराचंद मार्ग बालार्ड इस्टेट, मुम्बई-400038	गुजरात राज्य के जामनगर, राजकोट, सुरेन्द्र नगर, अहमदाबाद, खेड़ा, साबरकन्था, पन्चमहल, दाहोद, वालसाद, नावासारी, सूरत, बरूच, वदोदरा और अनंद जिले ।

[फा. सं. एल.-14014/9/01-जी.पी.(भाग-1)]

स्वामी सिंह, निदेशक

New Delhi, the 30th April, 2003

S. O. 1338.— In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) and in supersession of Notification number S.O. 3260 dated the 28th November, 2001 published in the Gazette of India Part II, Section 3, Sub-section (ii) on the 1st December, 2001 the Central Government hereby authorize the persons mentioned in column (1) of the Table given below to perform the functions of the competent authorities under the said Act for laying of the pipeline by M/S Gas Transportation and Infrastructure Company Limited (GTICL) having its Registered Office at R.P.L. House, 3rd floor, 15, Walchand Hirachand Marg, Ballard Estate, Mumbai-400038 for transportation of regasified natural gas in the State of Gujarat from the LNG terminals at Jamnagar and Hazira in Gujarat for distribution to various consumers located in the State of Gujarat and in the adjoining States of Rajasthan and Madhya Pradesh in respect of the areas specified in column (2) of the Schedule, name ly:—

Table:

Name and Address of the persons (1)	Areas of jurisdiction (2)
Shri K.B.Pathak, Retired Gujarat State Administrative Service Officer, C/o M/s Gas Transportation and Infrastructure Company, R.P.L. House, 3 rd Floor, 15, Walchand Hirachand Marg, Ballard Estate Mumbai-400038.	Districts of Jamnagar, Rajkot, Surender - Nagar, Ahmedabad, Kheda, Sabarkantha Panchmahal and Dahod of Gujarat State.
Shri A.K.Sanghvi, Retired Gujarat State Administrative Service Officer, C/o M/s Gas Transportation and Infrastructure Company, R.P.L. House, 3 rd Floor, 15, Walchand Hirachand Marg, Ballard Estate Mumbai-400038.	Districts of Jamnagar, Rajkot, Surender - Nagar, Ahmedabad, Kheda, Sabarkantha, Panchmahal, Dahod, Valsad, Navsari, Surat, Bharuch, Vadodara and Anand in Gujarat State

[No. L-14014/9/01-G.P.-(Pt. I)]
SWAMY SINGH, Director

नई दिल्ली, 30 अप्रैल, 2003

का. आ. 1339—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मेसर्स गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड की संवर्धक कम्पनी मेसर्स रिलाएंस इंडस्ट्रीज लिमिटेड के गोवा के उत्तरी/दक्षिणी अपतट के खोज ब्लॉकों और आन्ध्रप्रदेश में संचरनाओं से कर्नाटक राज्य के बेलगांव जिले के विभिन्न उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मेसर्स गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए ;

और, केन्द्रीय सरकार ने भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मन्त्रालय की अधिसूचना संख्या का. आ. 1148 तारीख 1 अप्रैल, 2002 जो भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) तारीख 6 अप्रैल 2002 में प्रकाशित की गई थी द्वारा उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा (3) की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाने के लिए श्री गोखले काशीनाथ, सक्षम प्राधिकारी, जी.टी.आई.सी.एल. एडवान-ई-शाही, गुलबर्गा-585 102 कर्नाटक राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची 3 (i)							
तहसील बिलोरी		जिला बेळगांव			राज्य कर्नाटक		
अ. क्र.	गांव का नाम	सर्वे नं.	विस्तार नं.	पट नं.	क्षेत्र		
1	2	3	4	5	हेक्टेर	आर	सेंटीमीटर
1	कुर्ली	337	2B/1+2		0	08	70
	कुल				0	08	70
2	अमलिकरी	44	1		0	01	60
		56	1A		0	13	50
		57	2A		0	12	50
		74	1+6		0	15	00
		83	2		0	01	20
	कुल				0	43	80
3	कोपनोति	665			0	02	80
		715	3		0	02	70
		757			0	26	00
	कुल				0	31	50

[फा. सं. एल.-14014/20/02-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 30th April, 2003

S. O. 1339.—Whereas it appears to the Central Government that it is necessary in the public interest for the Transportation of the Natural Gas from exploration blocks in the Northern/Southern offshore Goa and Structures in Andhra Pradesh of M/s Reliance Industries Limited, the promoter company of M/s Gas Transportation and Infrastructure Company Limited to the various consumers of District Belgaum in the state of Karnataka, a pipeline should be laid by M/s Gas Transportation and Infrastructure Company Limited;

And whereas the Central Government has declared its intention to acquire the right of user vide notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1148 dated: 1st April, 2002 published in part II Section 3, Sub - section (ii) of the Gazette of India dated the 6th April, 2002;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user (ROU) in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub - section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of the notification issued under sub - section (1) of section (3) of the said Act, are made available to the general public, object in writing to the pipeline under the land to Shri. Gokhale Kashinath, Competent Authority GTICL, Aiwan - E - Shahi Gulbarga - 585 102, Karnataka State.

SCHEDULE - 3(1)							
Taluka - Chikodi		District - Belgaum			State - Karnataka		
Sl. No.	Village Name	Survey No.	Hissa No.	Gat No.	Area		
					Hectare	Are	Centiare
1	2	3	4	5	6	7	8
1	Kurli	337	2B/1+2		0	08	70
					0	08	70
2	Appachiwadi	44	1		0	01	60
		56	1A		0	13	50
		57	2A		0	12	50
		74	1+6		0	15	00
		83	2		0	01	20
	Total: -				0	43	80
3	Koganoli	665			0	02	80
		715	3		0	02	70
		757			0	26	00
	Total: -				0	31	50

[No. L-14014/20/02-G.P.]
SWAMY SINGH, Director

नई दिल्ली, 30 अप्रैल, 2003

का. आ. 1340.— केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1148 तारीख 01 अप्रैल, 2002, जो भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) तारीख 06 अप्रैल, 2002 में पृष्ठ 3342 से 3346 पर प्रकाशित की गई थी में निम्नलिखित संशोधन करती है ; अर्थात :-

उक्त अधिसूचना की अनुसूची में :-

1. पृष्ठ 3343 पर, स्तंभ 2 में गांव "कुर्ली" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "332/3" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-04-80" के स्थान पर क्षेत्र "0-06-80" रखा जाएगा ;
2. पृष्ठ 3343 पर, स्तंभ 2 में गांव "कुर्ली" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "332/6" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-09-20" के स्थान पर क्षेत्र "0-10-00" रखा जाएगा ;
3. पृष्ठ 3343 पर, स्तंभ 2 में गांव "कुर्ली" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "335/10" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-06-10" के स्थान पर क्षेत्र "0-10-80" रखा जाएगा ;
4. पृष्ठ 3343 पर, स्तंभ 2 में गांव "कुर्ली" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "335/13" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-00-80" के स्थान पर क्षेत्र "0-01-30" रखा जाएगा ;
5. पृष्ठ 3344 पर, स्तंभ 2 में गांव "कुर्ली" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "345/2" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-05-10" के स्थान पर क्षेत्र "0-15-90" रखा जाएगा ;
6. पृष्ठ 3344 पर, स्तंभ 2 में गांव "कुर्ली" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "346/7" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-14-90" के स्थान पर क्षेत्र "0-18-30" रखा जाएगा ;
7. पृष्ठ 3344 पर, स्तंभ 2 में गांव "आपाचिवाडी" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "43" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-42-50" के स्थान पर, क्षेत्र "0-48-50" रखा जाएगा ;

8. पृष्ठ 3345 पर, स्तंभ 2 में गांव "आपाचिवाड़ी" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "58" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-14-40" के स्थान पर क्षेत्र "0-15-60" रखा जाएगा ;
9. पृष्ठ 3345 पर, स्तंभ 2 में गांव "आपाचिवाड़ी" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "81/1" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-02-40" के स्थान पर क्षेत्र "0-19-30" रखा जाएगा ;
10. पृष्ठ 3345 पर, स्तंभ 2 में गांव "कोगनोलि" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "647/2" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-14-80" के स्थान पर क्षेत्र "0-21-60" रखा जाएगा ;
11. पृष्ठ 3345 पर, स्तंभ 2 में गांव "कोगनोलि" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "647/3" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-21-20" के स्थान पर क्षेत्र "0-23-60" रखा जाएगा ;
12. पृष्ठ 3345 पर, स्तंभ 2 में गांव "कोगनोलि" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "647/4" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-21-10" के स्थान पर क्षेत्र "0-29-60" रखा जाएगा ;
13. पृष्ठ 3348 पर, स्तंभ 2 में गांव "कोगनोलि" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "652/7" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-05-90" के स्थान पर क्षेत्र "0-06-90" रखा जाएगा ;
14. पृष्ठ 3348 पर, स्तंभ 2 में गांव "कोगनोलि" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "719/1" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-02-80" के स्थान पर क्षेत्र "0-03-60" रखा जाएगा ;
15. पृष्ठ 3348 पर, स्तंभ 2 में गांव "कोगनोलि" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "719/2" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-03-70" के स्थान पर क्षेत्र "0-04-20" रखा जाएगा ;
16. पृष्ठ 3348 पर, स्तंभ 2 में गांव "कोगनोलि" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "715/7" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-01-60" के स्थान पर क्षेत्र "0-02-10" रखा जाएगा ;
17. पृष्ठ 3348 पर, स्तंभ 2 में गांव "कोगनोलि" के सामने, स्तंभ सं. 3,4 के सर्वे नं. "745/1, 745/2" में स्तंभ सं. 6,7 और 8 में क्षेत्र "0-52-90" के स्थान पर क्षेत्र "0-55-90" जाएगा ;

[फा. सं. एल.-14014/20/02-जी.पी.]
स्वामी सिंह, निदेशक

New Delhi, the 30th April, 2003

S. O. 1340.—In exercise of the powers conferred by sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Petroleum and Natural Gas, number S. O. 1148 Dated: 01st April, 2002, published at pages 3347 to 3352 in part II, section 3, sub-section (ii) of the Gazette of India, Dated the 06th April, 2002, namely: -

In the Schedule to the said notification: -

- (1) at page 3348, against village "Kurli" in column 2, in Survey No. "332/3" in column 3, 4, for the areas "0-04-80", in column 6, 7, and 8 the areas "0-06-80" shall be substituted.)

- (2) at page 3348, against village "Kurli" in column 2, in Survey No. "332/6" in column 3, 4, for the areas "0-09-20", in column 6, 7, and 8 the areas "0-10-00" shall be substituted.
- (3) at page 3348, against village "Kurli" in column 2, in Survey No. "335/10" in column 3, 4, for the areas "0-06-10", in column 6, 7, and 8 the areas "0-10-80" shall be substituted.
- (4) at page 3348, against village "Kurli" in column 2, in Survey No. "335/13" in column 3, 4, for the areas "0-00-80", in column 6, 7, and 8 the areas "0-01-30" shall be substituted.
- (5) at page 3349, against village "Kurli" in column 2, in Survey No. "345/2" in column 3, 4, for the areas "0-05-10", in column 6, 7, and 8 the areas "0-15-90" shall be substituted.
- (6) at page 3349, against village "Kurli" in column 2, in Survey No. "346/7" in column 3, 4, for the areas "0-14-90", in column 6, 7, and 8 the areas "0-18-30" shall be substituted.
- (7) at page 3349, against village "Appachiwadi" in column 2, in Survey No. "43" in column 3, 4, for the areas "0-42-50", in column 6, 7, and 8 the areas "0-48-50" shall be substituted.
- (8) at page 3350, against village "Appachiwadi" in column 2, in Survey No. "58" in column 3, 4, for the areas "0-14-40", in column 6, 7, and 8 the areas "0-15-60" shall be substituted.
- (9) at page 3350, against village "Appachiwadi" in column 2, in Survey No. "81/1" in column 3, 4, for the areas "0-02-40", in column 6, 7, and 8 the areas "0-19-30" shall be substituted.
- (10) at page 3351, against village "Koganoli" in column 2, in Survey No. "647/2" in column 3, 4, for the areas "0-14-80", in column 6, 7, and 8 the areas "0-21-60" shall be substituted.
- (11) at page 3351, against village "Koganoli" in column 2, in Survey No. "647/3" in column 3, 4, for the areas "0-21-20", in column 6, 7, and 8 the areas "0-23-60" shall be substituted.
- (12) at page 3351, against village "Koganoli" in column 2, in Survey No. "647/4" in column 3, 4, for the areas "0-21-10", in column 6, 7, and 8 the areas "0-29-60" shall be substituted.
- (13) at page 3351, against village "Koganoli" in column 2, in Survey No. "652/7" in column 3, 4, for the areas "0-05-90", in column 6, 7, and 8 the areas "0-06-90" shall be substituted.
- (14) at page 3351, against village "Koganoli" in column 2, in Survey No. "719/1" in column 3, 4, for the areas "0-02-80", in column 6, 7, and 8 the areas "0-03-60" shall be substituted.
- (15) at page 3351, against village "Koganoli" in column 2, in Survey No. "719/2" in column 3, 4, for the areas "0-03-70", in column 6, 7, and 8 the areas "0-04-20" shall be substituted.
- (16) at page 3351, against village "Koganoli" in column 2, in Survey No. "715/7" in column 3, 4, for the areas "0-01-60", in column 6, 7, and 8 the areas "0-02-10" shall be substituted.
- (17) at page 3352, against village "Koganoli" in column 2, in Survey No. "745/1, 745/2" in column 3, 4, for the areas "0-52-90", in column 6, 7, and 8 the areas "0-55-90" shall be substituted.

[No. L-14014/20/02-G.P.]
SWAMY SINGH, Director

नई दिल्ली, 30 अप्रैल, 2003

का. आ. 1341.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 212 तारीख 22 जनवरी, 2002 और का. आ. 95 तारीख 9 जनवरी 2003 जो भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) क्रमशः तारीख 22 जनवरी 2002, तथा 9 जनवरी 2002 को प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मैसर्स गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड की संप्रवर्तक कंपनी मैसर्स रिलायंस इन्डस्ट्रीज लिमिटेड के गोवा के उत्तरी/दक्षिणी अपतट के खोज ब्लॉकों और आन्ध्रप्रदेश की संरचनाओं से आन्ध्रप्रदेश राज्य में जिला मेंढक के विभिन्न उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की यह घोषणा की थी कि मैसर्स गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए ;

और, उक्त राजपत्र अधिसूचना की प्रतियाँ साधारण जनता को तारीख 29 जनवरी 2003 को उपलब्ध करा दी गई थीं ;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है और उसमें उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख से, केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड में निहित होगा।

अनुसूची

गांव का नाम	खे नंबर	सब-डिविजन नंबर	क्षेत्र		
			हेक्टेर	ऐर	सि-ऐर
1	2	3	4	5	6
मण्डल : जयपुराबाद			जिला : मेंढक		
राज्य : आन्ध्रप्रदेश					
5. होथी (बुजुग)	224	-	0	45	00
कुल	1		0	45	00

[फा. सं. एल.-14014/3/02-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 30th April, 2003

S. O. 1341.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas, number S.O.212 dated the 22nd January, 2002 and S.O.95 dated the 9th January, 2003 published in the Gazette of India Part II, section 3, sub-section (ii) dated the 26th January, 02 and dated the 11th January, 2003 respectively issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands, specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of the natural gas from the exploration blocks in the Northern/Southern Offshore of Goa and Structures in Andhra Pradesh of M/s Reliance Industries Limited, the promoter company of M/s Gas Transportation and Infrastructure Company Limited to the various consumers of Medak District in the State of Andhra Pradesh, a Pipeline should be laid by M/s Gas Transportation and Infrastructure Company Limited;

And whereas, the copies of the said Gazette notification were made available to the public on the 29th January, 2003;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And further whereas, the Central Government after considering the said report and on being satisfied that the said land is required for laying pipeline and has decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired, for laying the pipeline.;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest on this date of publication of this declaration, in Gas Transportation and Infrastructure Company Limited, free from all encumbrances.

SCHEDULE

Name of the Village	Survey No	Sub-Division No	AREA		
			Hectare	Are	C-Are
1	2	3	4	5	6
Mandal : Zaheerabad			District : Medak		
			State : Andhra Pradesh		
1. Hothi(B)	224	-	0	45	00
Total	1		0	45	00

[No. L-14014/3/02-G.P.]
SWAMY SINGH, Director

श्रम मंत्रालय

नई दिल्ली, 3 अप्रैल, 2003

का. आ. 1342.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी. एस. एल. कं. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 68/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-04-2003 को प्राप्त हुआ था।

[सं० एल-29011/9/2002-आई. आर. (विविध)]

बी. एम. डेविड, अवर सचिव

MINISTRY OF LABOUR

New Delhi, the 3rd April, 2003

S.O. 1342.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 68/2002) of the Central Government Industrial Tribunal-Cum-Labour Court, Bhubaneswar as shown in the annexure in the Industrial Dispute between the employers in relation to the management of B. S. L. Co. Limited. and their workman, which was received by the Central Government on 3-04-2003

[No. L-29011/9/2002-IR (M)]

B. M. DAVID, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR****PRESENT:**

Shri S.K. Dhal, OSJS (Sr. Branch),
Presiding Officer, C.G.I.T.-cum-Labour Court,
Bhubaneswar.

Industrial Dispute Case No. 68/2002

Date of conclusion of hearing—12th March, 2003

Date of Passing Award—24th March, 2003

BETWEEN:

The Management of the General
Manager, B.S.L. Co. Limited,
At/Po. Birmitrapur,
Dist. Sundargarh. ... 1st Party-Management

AND

Their Workman, Shri Muralidhar
Kar, represented through the Secretary,
Gangpur Labour Union, P. O. Birmitrapur,
Dist. Sundargarh. ... 2nd Party-Union.

APPEARANCES:

Shri B.C. Swain, Manager ... For the 1st Party-
(P and A) Management

Shri Bhikari Panigrahi, ... For the 2nd Party
Secretary, Union.
Bangpur Labour Union,
Birmitrapur

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-29011/9/2002-IR (M), dated 26-07-2002:

"Whether the action of the Management of Birsa Store Lime Company Ltd., Birmitrapur by not correcting the date of birth of Shri Muralidhar Kar, EPF No. OR/51/21184 from 24-8-1945 to 20-10-1945 as per the matriculation certificate submitted at the time of appointment itself is justified? If not, what relief the workman is entitled to."

2. The 2nd party in his Claim Statement has pleaded that he was appointed directly as monthly paid clerk due to his matric qualification has got promotion from Grade-II Clerk to Grade-I Clerk. The 2nd Party after knowing that his age recorded in Form-B Register of the 1st party-Management was erroneous, he represented to the 1st Party-Management for correction of his age. But the 1st Party-Management did not consider his case. He raised a dispute after failure of conciliation proceeding, the present reference has been made. The 2nd Party has prayed for a direction to the 1st Party-Management for correction of his age as recorded earlier in the Form-B register maintained by the 1st Party-Management.

3. The 1st Party- Management has not filed their Written Statement though they have taken several times to file the same.

4. When the case was posted for filing of Written Statement by the 1st Party-Management, both the parties have filed the Memorandum of Settlement and have prayed to pass Award as per the terms of the Memorandum of Settlement. Memorandum of Settlement filed by the parties is placed which is read over and explained to both parties. They have agreed to be true.

5. Reference is answered accordingly and the Award is passed as per the terms of the Memorandum of Settlement, which would form the part of the Award.

Dictated & Corrected by me.

Bhubaneswar

Dated 27-3-2003

S. K. DHAL, Presiding Officer

FORM 'H'**SEE RULE 58****FORM FOR MEMORANDUM OF SETTLEMENT***

Memorandum of settlement arrived at before the Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar on 12th Day of March, 2003 over the Dispute between the Management of Bisra Stone Lime Company Limited, Birmitrapur and their workman represented by Gangpur Labour Union, Birmitrapur.

Name of the Parties:—

On behalf of the Management On behalf of the Union

1. Sri T.C. Sei, Dy. General 1. Sri Bhikari Panigrahi
Manager(M)/I/c

2. Sri B.C. Swain, Manager
(P&A)

SHORT RECITAL OF THE CASE

That, the Gangpur Labour Union, Birmitrapur raised an Industrial Dispute before the Asstt. Labour Commissioner (Central), Rourkela for correction of age of Sri M.D.Kar, P. F. No. 21184, Clerk which was ended in failure. Subsequently the matter was referred to the Hon'ble Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar vide I.D. case No. 68/2002 (Central).

TERM OF SETTLEMENT

That, the union requested the management not to further proceed the matter and to consider the correction of age of Sri M. D. Kar, PF. No.21184, Clerk according to his matriculation certificate.

In order to maintain cordial relation both the parties agreed to settle the Dispute amicably without raising

any further issue thereto. Accordingly the Management agreed to accept the Date of Birth of Sri M. D. Kar P F. No. 21184 Clerk as recorded in matriculation certificate i.e. 20th October, 1945.

It is, therefore, prayed by the both parties before the Hon'ble Tribunal to be kind enough to pass an order in the matter.

Witnesses**Signature of the Parties**

1. B. C. Swain

1. T.C. Sei Dy. General
Manager (M)/I/c

2. Ram Badaik

2. Bhikari Panigrahi
Secretary

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1343.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्रीलंकन एअरलाइंस लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पंचाट (संदर्भ संख्या 48/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-04-2003 को प्राप्त हुआ था।

[सं० एल-11012/2/2002-आई. आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S. O. 1343.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref No. 48/2002) of the Central Government Industrial Tribunal Chennai now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Sri Lankan Airlines Ltd. and their workman, which was received by the Central Government on 03-04-2003

[No. L-11012/2/2002-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
CHENNAI

Friday, the 28th March, 2003

PRESENT :

K. KARTHIKEYAN, Presiding Officer

INDUSTRIAL DISPUTE NO. 48/2002

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947), between the Workman Sri R. Vijayakumar and the Management of Sri Lankan Airlines Ltd.)

BETWEEN

Sri R. Vijayakumar : I Party/ Workman

AND

The management of : II Party/Management
M/s. Sri Lankan Airlines
Ltd., Chennai.

APPEARANCES :

For the Workman : M/s. K.V. Krishnaswami &
Smt. Sulakshana-S,
Authorised Representatives

For the Management : M/s. King &
Partridge, Advocates

The Govt. of India, Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947), have referred the concerned industrial dispute for adjudication vide Order No.L-11012/2/2002/IR(C-I) dated 9-5-2002.

On receipt of the order of reference from the Government of India, Ministry of Labour, this case has been taken on file as I.D. No.48/2002 and notices were sent to the parties to the dispute by registered post, with a direction to appear before this Tribunal on 17-06-2002 to file their respective Claim Statement and Counter Statement and to prosecute this case further. Accordingly, the authorised representatives for the I Party/Workman and the counsel on record for the II Party/Management have filed their respective claim statement and counter statement and prosecuted this case further.

Upon perusing the Claim Statement, Counter Statement, rejoinder/additional statement filed by I Party/ Workman, additional Counter Statement filed by II Party/ Management, documentary evidence let in on the side of the II Party/Management alone, the other material papers on record, after hearing the arguments advanced by the learned counsel for the II Party/Management alone and this matter having stood over till this date for consideration, this Tribunal has passed on merits, the following :—

AWARD

The Industrial Dispute referred to in the above mentioned order of reference by the Central Govt. for adjudication by this Tribunal is as follows :—

“Whether the termination of services of Shri R. Vijayakumar w.e.f. 3-8-1984 by the management of Sri Lankan Airlines Ltd. is fair, legal and justified? If not to what relief is the workman entitled?”

2. The averments in the Claim Statement filed by the I Party/Workman Sri R. Vijayakumar (hereinafter refers to as Petitioner) are briefly as follows :—

The Petitioner was working as an Office Helper in the II Party/Management M/s. Sri Lankan Airlines Ltd. Chennai from 14-2-81 continuously without any blemish. A bomb blast took place on 2-8-84 at Chennai Airport. The

Petitioner was wrongly handed over to the police. On 3-8-84 when the Petitioner reported for duty he was not allowed to join and on suspicion, the police took him to custody. Thereafter he approached the management for employment. But the management informed the Petitioner that the question of employment may be considered after knowing the result of the criminal case against him. No charge sheet was framed against the Petitioner nor any domestic enquiry was conducted against him. The management based the question of his employment only on the judgement in the criminal case in connection with the said bomb blast. The Hon'ble High Court was pleased to acquit the Petitioner of the criminal charge framed against him by its order dated 28-4-2000 in C.A.No.704/89. Immediately, the Petitioner reported to the management and requested to permit him to join duty but it was refused. Thereafter, the Petitioner caused a lawyer's notice on 7-2-2001 after waiting sufficiently for the management to consider his employment by repeated approaches personally. But all the attempts of the Petitioner went futile. Even after the receipt of the notice sent by the Petitioner, the management did not employ him. Thus the management has unlawfully terminated the Petitioner from service w.e.f. 3-8-84. The action of the II Party/Management in terminating the Petitioner from service is wrong, illegal and opposed to principles of natural justice. The said wrong action of the management in terminating the Petitioner from service is liable to be set aside and the Petitioner is entitled to reinstatement in service with full back wages, continuity of service together with all other attendant benefits from 3-8-84. The Petitioner raised a dispute before the Assistant Labour Commissioner (Central) Chennai. He could not arrive at an amicable settlement, hence submitted a failure report, which resulted in referring the dispute for adjudication by this Hon'ble Tribunal. The delay in raising the present dispute is not due to any inaction on the part of the Petitioner. Neither it is wilful nor wanton. The criminal case ended only on 28-4-2000. Immediately, the Petitioner approached the management for reinstatement. But the management only was evading proper reply. Hence, the delay is not due to his fault. Therefore, it is prayed that this Hon'ble Tribunal may be pleased to pass an Award directing

the II Party/Management to reinstate the Petitioner in service, with full back wages, continuity of service, together with all other attendant benefits.

3. The averments in the Counter Statement filed by the II Party/M/s. Sri Lankan Airlines, Chennai, (hereinafter refers to as Respondent) are briefly as follows: —

The management of M/s. Sri Lankan Airlines earlier known as 'Air Lanka'. The claim of the Petitioner is a stale one and is belated by 16 years and barred by laches. The termination of the Petitioner from service way back in May, 1985. Most of the officers who were in service during 1985 are no longer in service of the Respondent/Management. Records available reveal that the Petitioner's services were terminated in a justifiable and legal manner by the M/s. Sri Lankan Airlines management on 28-5-85. The order of termination was issued on the ground of bona fide and sincere loss of confidence to retain the Petitioner in the services of the Airlines. The Respondent is an international Airlines company. On 11-9-2001 commercial airlines were hijacked and used for terrorist activities claiming thousands of life in USA. The security and confidence to travel in aircrafts has become a major concern among the people travelling by various airlines. Now a days, people are reluctant to travel by air lines of any airlines in view of the increased threat perception and as such the Respondent/Management also is facing difficulty in running the airlines. Keeping in mind, the security and confidence reposed by the travelling public in the airlines. A powerful bomb blast took place in the Meenambakkam International Airport on 2-8-84. This explosion caused the death of several innocent people and several others were maimed. The Petitioner Sri R. Vijayakumar was an accused in the criminal case pertaining to the bomb blast at the Meenambakkam International Airport on 2-8-84. On the basis of the fact that the Petitioner's conduct led him to be treated as an accused in the bomb blast's case. Hence, the Respondent/Management was under genuine and bona fide view that it would no longer be possible for the

International Airlines that has consistent security threats have in its midst an employee accused in the bomb blast's case in whom they have lost confidence and no longer could confined with. Therefore, irrespective of whether the Petitioner has been found guilty by a Criminal Court of law or not, the fact remains that the airlines management would no longer repose confidence in the Petitioner and retain him in service. Thus, keeping in mind the interest of Respondent airlines and its security aspects above all, the duty of the management towards travelling public is to maintain the safety of the passengers. Thus, it was felt that it would be impossible to retain any further confidence in the Petitioner. The Respondent/Management had issued a letter dated 17-4-1985 to the Petitioner narrating the facts and circumstances which made it impossible for the airlines management to retain the Petitioner in service. The Petitioner submitted his reply dated 27-4-85. After careful consideration of his reply and a very fact being that the Petitioner was an accused in the criminal case pertaining to bomb blast that killed 30 innocent persons would no longer continue his services as it has lost confidence in the Petitioner. In these circumstances, as per law, and after complying with all the legal requirements, the Petitioner was discharged by the Respondent airlines by its letter dated 28-5-85 on the basis of genuine and bona fide loss of confidence. The Hon'ble High Court of Madras allowed the criminal appeal of the Petitioner on the ground of benefit of doubt. In the criminal case, pertaining to the bomb blast the case of the prosecution is that the Petitioner who was only an office helper in the Respondent airlines had facilitated purchase of tickets to the co-accused and was thus, involved directly in the bomb blast. When there is such a serious allegation against the Petitioner who eventually was convicted by the Sessions Court but acquitted on the ground of benefit of doubt, it will be highly impossible to continue the services of such tainted person by the Respondent and the management have no confidence to continue such a person in its service. The unexplained and inordinate delay of 16 years on the part of the Petitioner should be held against him. Hence, it is prayed that this Hon'ble Tribunal may be pleased to dismiss this industrial dispute.

4. The averments in the additional Counter Statement filed by the Respondent/Management are briefly as follows:-

The Petitioner was terminated on 28-5-85 hence the files relating to the Petitioner was not traced immediately. With the available records, the Counter Statement dated 9-9-2002 was prepared reserving the right to file additional Counter Statement. The files relating to the Petitioner since traced, disclose that the last drawn wage of the Petitioner was Rs-1086/- and not Rs.3500/- as alleged in the Claim Statement. The show cause notice dated 17-4-1985 was

issued to the Petitioner as to why his services should not be terminated on loss of confidence. Since the explanation submitted by the Petitioner was not satisfactory, by an order dated 28-5-85 his services were terminated. Along with the order dated 28-5-85 Rs.1086/- being one month salary in lieu of one month notice and also a sum of Rs.1629/- being the compensation as per Section 25F of the Industrial Disputes Act was issued to the Petitioner. The Petitioner is a junior most employee in the office helper post and hence, the Respondent is fully justified in retrenching the services of the Petitioner by paying the compensation as per Section 25F of Industrial Disputes Act. Therefore, this Hon'ble Tribunal may be pleased to dismiss this case raised by the Petitioner.

5. The averments in the rejoinder filed by the Petitioner are briefly as follows:-

On 2-8-84 a bomb blast took place in Meenambakkam airport supposed to have caused by the Ceylon Terrorists. On 3-8-84 the Petitioner went to office for reporting for duty. Without allowing the Petitioner to do his normal work, the Respondent had directed him to go with the police personnel who were present there to assist them in the investigation. After going to the police station only, the Petitioner came to know that he had been taken to custody. The Petitioner detained the Petitioner in their custody for three months and then released him on bail. On 17-4-85 the Respondent issued a letter to the Petitioner stating that he was unauthorisedly absent from duty from 3-8-84 and also mentioning that they lost confidence in him because, he was taken to police custody relating to the case of bomb blast. The allegation that the Petitioner helped to purchase tickets etc. are baseless and invented for the purpose of this case. Hence, it deserves to be rejected. Hence, it is prayed that this Hon'ble Tribunal may be pleased to set aside the order of termination of the Respondent/Management with a direction to the Respondent to reinstate the Petitioner in service with full back wages, continuity of service, all other attendant benefits.

6. When the matter was taken up for enquiry, no one has been examined as a witness on either side. No document has been exhibited on the side of the Petitioner/Workman, 6 documents on the side of the II Party/Management have been marked as Ex.M1 to M6. No argument has been advanced on the side of the Petitioner. The learned counsel for the Respondent/Management has advanced his arguments.

7. The point for my consideration is -

"Whether the termination of services of Shri R.Vijayakumar w.e.f. 3-8-1984 by the management of Sri Lankan Airlines Ltd. is fair, legal and justified? If not to what relief is the workman entitled?"

Point : —

It is admitted that when the Petitioner was working as an Office Helper in the Respondent M/s. Sri Lankan Airlines Ltd., Chennai, a bomb blast took place on 2-8-84 at Chennai Airport and in connection of the same, police took the Petitioner in custody and a criminal case has been filed by the police in respect of the bomb blast incident and the Petitioner was also prosecuted by the police as one among the accused. It is also admitted that the Sessions Court, who found the Petitioner guilty of the charges, convicted him but on appeal preferred by the Petitioner in the Hon'ble High Court of Madras, he was acquitted by an order dated 28-4-2000.

8. Ex. M1 is the xerox copy of the appointment letter dated 14-12-81 appointing the Petitioner as Office Helper. Ex. M2 is the xerox copy of the letter dated 17-4-85 issued by the Respondent to the Petitioner directing him to submit his explanation in writing, as the Respondent/Management are not in a position to retain confidence in him, since he is one of the accused in the criminal case relating to the bomb explosion in the Madras International Airport on 2-8-84. Ex. M3 is the xerox copy of the explanation dated 27-4-85 submitted by the Petitioner. Ex. M4 is the xerox copy of the letter dated 28-5-85 terminating the services of the Petitioner from the Respondent/Management. Ex. M5 is the xerox copy of the legal notice issued by the Petitioner through his advocate to the Respondent/Management. Ex. M6 is the xerox copy of the reply dated 22-2-2001 sent by the Respondent/Management through their advocate to the Petitioner's advocate. It is not disputed that the Petitioner was taken into custody by the police in respect of bomb blast in the International Airport at Meenambakkam on 2-8-84 and the Petitioner was employed as Office Helper in the Respondent M/s. Sri Lankan Airlines Ltd. at Chennai at that time, who was found first guilty by the Sessions Court and was convicted but in the appeal, the Hon'ble High Court was pleased to acquit him on the ground that the prosecution has not established the guilt of the accused beyond all reasonable doubt. When the Petitioner has approached the Respondent/Management, subsequent to the order of acquittal passed by High Court in the Criminal Appeal, the Respondent/Management was not inclined to reinstate the Petitioner in service on the ground that they could no longer repose confidence in the Petitioner to retain him in service. In the earlier letter dated 28-5-1985 issued to the Petitioner for terminating the services of the Petitioner marked as Ex. M4, it is clearly stated by the Respondent/Management that considering that the Petitioner is one of the accused in the criminal case relating to bomb explosion that took place in Madras International Airport on 2-8-84, they feel that they are not in a position to repose any confidence in the Petitioner and they bona fide and sincerely feel that since they have lost confidence in him, it will be impossible to retain him in service any longer. They have stated so in their subsequent reply given to the advocate's notice sent by the Petitioner. In that Ex. M6 it is stated that the Respondent were of the genuine and bona fide view that it would no longer be possible for an International

Airlines that has constant security threat to have in its midst an employee in whom they could have no further confidence and that irrespective of whether or not the Petitioner has been found guilty by a criminal court, the fact remains that the Respondent would no longer repose confidence in the Petitioner as to be able to retain him in service. It is further reiterated in the reply that the reason for termination of the Petitioner's services is loss of confidence to retain him in service any longer and has nothing to do with whether he is guilty of the offence for which he was proceeded against in a criminal court or not. It is also mentioned in that reply of the Respondent that the Petitioner's services were terminated not for misconduct but on the basis of genuine and bona fide loss of confidence. It is not denied that the Respondent/Management in terminating the services by an order dated 28-5-1985 has paid Rs. 1086/- one month's salary in lieu of one month's notice and a compensation of Rs. 1629/- as contemplated under section 25F. It is mentioned in Ex. M4 order of termination itself. So under such circumstances, the Respondent/Management had not framed any charges against the Petitioner and had not held any domestic enquiry. The learned counsel for the Respondent/Management has argued that the order of termination of the service of the Petitioner passed by Respondent/Management under Ex. M4 does not suggest any misconduct on the part of the Petitioner, but has clearly stated that the Respondent/Management had lost confidence in the Petitioner and this loss of confidence was due to the fact that the Petitioner was considered was one of the accused in the criminal case relating to bomb blast took place in the Chennai Airport. That is also mentioned in the termination order under Ex. M4 itself. So once a bona fide loss of confidence is affirmed the order of termination must be considered to be immune from challenge. For this argument, the learned counsel for the Respondent/Management has relied upon a judgement of the Supreme Court reported in 1972 (25) FLR 390 AIR INDIA CORPORATION, BOMBAY Vs. V.A. REBELLOW AND ANOTHER. In that case, the Hon'ble Supreme Court has held that "*once bona fide loss of confidence is affirmed, the impugned order must be considered to be immune from challenge. The opinion formed by the employer about the suitability of his employee for the job assigned to him even though erroneous, if bona fide is final and not subject to review by the Industrial Adjudication. Such opinion may legitimately induce the employer to terminate the employee's services that such termination can on no rational grounds be considered to be for misconduct and must therefore, be permissible and immune from challenge*". Here, in this case there is no allegation on the side of the Petitioner that this action of the Respondent/Management is mala fide. So from this it is seen that the order dated 28.5.1985 has not been passed by the Respondent/Management for any misconduct of the Petitioner but only on the ground of loss of confidence in him and on the opinion of the Respondent/Management that it will be impossible to retain the Petitioner in service any longer. Such opinion happens to be a legitimate one which

induces the Respondent/Management to terminate the Petitioner from the services of the Respondent/Management. So, as it is held by the Hon'ble Supreme Court in the above cited case, the said action of the Respondent/Management cannot be challenged as unfair, illegal or unjustified. In another case reported as 1997 6 SCC 271 between SUDHIR VISHNU PANVALKAR and BANK OF INDIA, the Supreme Court has held that "termination of service simpliciter by an order issued as non-stigmatory due to loss of confidence of the employer on the employee cannot be said as invalid." In that case, the facts are quite similar to the present case. The employee has challenged the termination after acquittal from the criminal case. The termination was ordered when the criminal charges were framed against the employee and the trial court convicted him but the High Court had acquitted him. The employee made a representation to the employer to consider his case for reinstatement sympathetically on the basis of the acquittal by the High Court and on the basis of the observation by the High Court that the employee's representation should be considered sympathetically. It was held in that case by the Supreme Court that "if a bank thought it fit to terminate the services of the appellant on the ground of loss of confidence, such an action could not be said to be unwise or mala fide action, we therefore, find no illegality in upholding the finding of the Division Bench that the Writ Petition filed by the appellant suffered from the vice of delay and laches." In that case also the appellant filed a Writ Petition in the High Court in the year 1975 to quash the order passed by the bank management in the year 1971. Though the Writ Petition was allowed by a Single Judge, the Division Bench of the High Court allowed the appeal and dismissed the Writ Petition on the ground of laches and also on merits. That decision of the Division Bench of the High Court has been upheld by the Supreme Court in the above cited judgement. In another case reported as 1972 24 FLR 229 between WORKMEN OF SUDDER OFFICE, CINNAMARA and MANAGEMENT OF SUDDER OFFICE AND ANOTHER, the Supreme Court has held that a order not one by way of dismissal but termination simpliciter on the ground of loss of confidence and trust in workmen when it is not a victimisation, unfair labour practice or mala fide, it cannot be set aside." On the basis of the above cited judgements of the Supreme Court which are quite applicable to the facts of this case, it is seen that the order of termination simpliciter passed by the Respondent/Management against the Petitioner on loss of confidence in the Petitioner to retain him in service any longer subsequent to 28-5-1985 is fair, legal and justified. The services of the Petitioner has not been terminated by the management of M/s. Sri Lankan Airlines w.e.f. 3-8-84 as mentioned in the reference. As per the order under Ex.M4 the Petitioner's services were terminated with immediate effect i.e. on 28-5-1985. Hence, the concerned workman is not entitled for any relief. Thus, the point is answered accordingly.

9. In the result, an Award is passed holding that the concerned workman Sri R. Vijayakumar is not entitled for any relief. No Cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 28th March, 2003.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined:—

On either side : None

Documents Exhibited:—

For the I party/Workman : Nil

For the II Paty/Management:—

Ex.No.	Date	Description
M1	14-12-81	Xerox copy of the appointment letter issued to Petitioner.
M2	17-04-85	Xerox copy of the letter from the Respondent/Management to Petitioner calling for explanation.
M3	27-04-85	Xerox copy of the explanation submitted by Petitioner.
M4	28-05-85	Xerox copy of the letter from Respondent/Management to the Petitioner terminating him from service.
M5	07-02-01	Xerox copy of the legal notice issued by Petitioner's advocate to the Respondent.
M6	22-02-01	Xerox copy of the reply given by the Respondent.

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1344.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 187/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-04-2003 को प्राप्त हुआ था।

[सं० एल-20012/391/98-आई. आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1344.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref No. 187/99) of the Central Government Industrial Tribunal II, Dhanbad as shown in the annexure in the Industrial Dispute between the employers in relation to the management of BCCCL and their workman, which was received by the Central Government on 03-04-2003

[No. L-20012/391/98-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute Under Section
10(1) (d) of the Industrial Disputes Act, 1947

Reference No. 187 of 1998.

PARTIES:

Employers in relation to the management of Lodna Area
of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : None

State : Jharkhand. Industry : Coal.

Dated, Dhanbad, the 21st March, 2003

ORDER

The Government of India Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/391/98-IR (C-I) dated, the 17th April, 1999.

SCHEDULE

"Whether the demand of the Union from the management of Lodna Area of M/s. BCCL for putting Sri M. K. Guha in Execva. cadre and promoting him in Execvni. Gr. 'A' or equivalent to Sri R. C. Mishra and other juniors is justified? If so, to what relief the workman is entitled?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. The management also did not appear in this reference. It is seen from the record that the instant reference was received by this Tribunal on 20-5-99 and since then it is pending for disposal. Registered notices were also issued to the workman as well as to the management but none of them turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain

absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the parties in spite of issuance of registered notices. As per I.D. Act the workmen excepting under provisions of Section 2A is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workman. These unions in spite of receiving notices do not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here record will clearly expose that sufficient opportunities had been given to the parties but yielded no result. This attitude shows clearly that the parties are not interested to proceed with the hearing of the case for disposal on merit.

In view of the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1345.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II धनबाद के पंचाट (संदर्भ संख्या 70/96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-4-2003 को प्राप्त हुआ था।

[सं. एल-20012/182/95-आई.आर. (सी. 1)]

एस. एस. गुप्ता, अवसर सचिव

New Delhi, the 4th April, 2003

S. O. 1345.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 70/96) of the Central Government Industrial Tribunal/II-Dhanbad now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 3-4-2003.

[No. L-20012/182/95-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, DHANBAD****PRESENT:**

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute Under Section
10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 70 of 1996.

PARTIES:Employer in relation to the management of M/s. BCCL
and their workman.**APPEARANCES:**On behalf of the workman : Shri S. Bose, Treasurer,
R.C.M.S.On behalf of the employers : Shri D. K. Verma,
Advocate.

State : Jharkhand. Industry : Coal.

Dated, Dhanbad, the 20th March, 2003

AWARD

The Government of India Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. 20012/182/95-IR (C-1) dated, the 26th July, 1996.

SCHEDULE

"Whether the demand for regularisation of Sh. Haridwar Chauhan, General Manager as Store Keeper w.e.f. 21-4-90 by the union is justified? If so, to what relief is the workman entitled?"

2. The case of the concerned workman according to W.S. submitted by the sponsoring Union on his behalf in brief is as follows :—

The sponsoring union submitted that the concerned workman is a permanent employee engaged in the capacity of a Store Keeper at Mohuda Coal washery under Mohuda Area II under the management with effect from 3-3-89. They submitted that the concerned workman is designated as unskilled workman in Category I wage rate but was placed on duty as a store keeper as the said post was lying vacant. They disclosed that as the concerned workman was engaged continuously for performing the duty of a store keeper they raised the matter several times with the management for his regularisation as Store Keeper but to no effect. Ultimately they raised an industrial dispute on behalf of the workman before the ALC(C) Dhanbad for conciliation which ultimately resulted reference to this Tribunal for passing necessary award.

3. The sponsoring Union accordingly submitted their prayer to pass award directing the management for regularisation of the concerned workman as Store Keeper with effect from 21-4-90 along with consequential relief.

4. Management on the contrary after filing W.S.-cum-rejoinder have denied all the claims and allegations

which the sponsoring union asserted in the W.S. on behalf of the concerned workman. They submitted that the post of general mazdoor is in the lowest category amongst the time rated workers and Store Keeper is in the higher grade in clerical cadre and there exists cadre scheme for promotion of time rated workers as well as clerical staff. They disclosed that whenever any vacancy exists in clerical cadre in any area all eligible persons possessing requisite qualification and experience may be given opportunity to appear before the Selection Board or Selection Committee to select the persons on the basis of individual merit and the time rated or piece rated workers may be put in clerical grade on the basis of selection for filling up the vacancies. They submitted that after introduction of cadre scheme, there is no scope for selecting any person of time rated or piece rated group directly in the clerical cadre without affording equal opportunity to all eligible candidates. They submitted that the entry level for promotion to the clerical cadre can only be given in Grade-III and the vacancies exists in higher grades viz. grade II, grade I etc. can only be filled up by promotion from the lower grade. No one can be directly appointed as Store Keeper in grade I ignoring the provision of the cadre scheme and superseding the senior persons in clerical Grade II and clerical Grade. III. They alleged that the present demand of the Union amounts to showing special favour to the concerned workman who is working in the store as general mazdoor in Category I. If such demand is acceded to, it will mean that promotion will be given to him superseding not only the workman in Cat. II to Cat. VI but also superseding the persons who are in clerical Grade III and Grade II which they considered is absurd to follow. They further submitted that the concerned workman who is a general mazdoor in Cat. I was never authorised as a competent person to work as Store Keeper in Clerical Grade. I. They disclosed that the Store Keeper have to perform various duties relating to maintenance of records, ledgers, documents, store accounting, store valuation etc. and the concerned workman being a general mazdoor placed in the store department had no knowledge of any kind to perform such duties. He being a general mazdoor performs only general type of duties without involving the jobs of clerical nature carried on in the store. Accordingly, they submitted prayer to pass award rejecting the fictitious claim of the sponsoring Union.

5. The points to be decided in this reference are :—

"Whether the demand for regularisation of Sh. Haridwar Chauhan, General Mazdoor as Store Keeper w.e.f. 21-4-90 by the union is justified? If so, to what relief is the workman entitled?"

DECISION WITH REASONS

6. It transpires from the record that both the sponsoring Union and the management have examined on witness each in order to substantiate their respective claim.

Considering the facts disclosed in the pleadings of both sides and also considering the evidence of MW-I and WW-I I find no dispute to hold that the concerned as general mazdoor in Cat. I posted at Mohuda Coal Washery

under Mohuda Area. II. It is the claim of the sponsoring Union that as that the post of Store Keeper in the store remained vacant the management engaged the concerned workman in the store for discharging his duties as Store Keeper with effect from 3-3-89 and since that date as he continuously discharged the function as Store Keeper they submitted representation to the management for his regularisation as Store Keeper. It is the allegation of this sponsoring union that the management ignored the claim of the concerned workman illegally and arbitrarily. On the contrary it is the claim of the management that the concerned workman was posted in the store as general mazdoor Cat. I. They disclosed that the post of store keeper is a senior post under clerical grade I and that post is filled up under cadre scheme from clerical grade II on the basis of his qualification and experience. They submitted that initially the post of Clerk in Grade III is filled from amongst the existing time rated and piece rated workmen by the selection Board on the basis of qualification and seniority. Thereafter, step by step the clerks in grade III are eligible to get their promotion in Clerk Grade II and Clerk Grade I on the basis of selection subject to fulfilment of the condition relating to qualification and seniority. They disclosed that if the claim of the sponsoring union is accepted in that case superseding the workman of Cat. II to Cat. VI and superseding the Clerks of Grade III to Grade II that promotion is to be given to him which is not only impracticable but also if it is so done the entire promotional policy as per N.C.W.A. will be frustrated totally. The management further disclosed that to perform job of store keeper proficiency is required very much because of the fact that as part of duty he has to perform various duties relating to maintenance of records ledgers, documents, store accounting, store valuation etc.

The concerned workman in course of his evidence relied on the documents marked as Ext. W-1 to W-1/3 in order to show which duties he had to perform in the stores. He also relied on other documents. He submitted that in the store he had to perform the duties of store keeper and such jobs he had to perform for years together under active direction of the management. The concerned workman also relying on an office note Ext. W-12 submitted that the personal Manager Mohuda Coal Washery requested the appropriate authority to fill up certain vacancies including the post of Store Keeper. In the said office notes the P.M. designated the concerned workman as Asstt. Store keeper since 21-4-1990.

7. The sponsoring Union as well as the concerned workman in course of his evidence submitted that he was posted in the store as Store Keeper with effect from 3-3-1989. Para 2 of the W.S. on behalf of the concerned workman has supported this fact. There is no dispute to hold that before getting his posting there he was general mazdoor Cat. I. The P.M. in the notes sheet disclosed that the concerned workman was working as Asstt. Store Keeper since 21-4-1990. There is no dispute to hold that post of Asstt. Store Keeper is a Cadre post in clerical Grade II which is filled up through Selection Board from Clerk Gr. III subject to fulfilment of qualification and experience.

The concerned workman though relied on certain documents which have been marked as Exhibit in course of his cross-examination admitted that he had no paper to show that under direction of the management he performed the duties of clerk in the store. The concerned workman in course of his evidence has failed to show a single scrap of paper that from General Mazdoor Cat. I he got his promotion in Clerk Gr. III & II and during that period he accrued his sufficient seniority to place his claim for promotion as Store Keeper which is a higher post in Clerk Gr. I. The concerned workman never claimed either personally or through his sponsoring union that he discharged his function as Asstt. Store Keeper. Considering all facts and circumstances, there is sufficient reason to believe that the D.P.M. S.Ram designated the concerned workman as Asstt. Store Keeper exceeding his limit and probably with some ulterior motive particularly when he was very much aware that the concerned workman was a General mazdoor Cat. I while he was posted in the store. As P.M. I think it was very much within his knowledge that a general mazdoor cannot be designated as Asstt. Store Keeper without getting his promotion in Clerk Grade. III or II. As the role of S. Ram Dy. P.M. appears to be questionable in view of the facts discussed above for the interest of clean administration it is expected that the appropriate authority will enquire into the matter through its vigilance cell.

8. Management submitted categorically that as a part of duty a Store Keeper has to maintain records, ledgers, documents store accounting, store verification etc. and such delicate job cannot be performed by a General Mazdoor without having sufficient experience. It is fact that the concerned workman relied on certain document in the matter of discharging his duties as Store Keeper. Apart from these documents the concerned workman has failed to adduce any cogent evidence to show that as general mazdoor Cat. I he had to perform duties relating to maintenance of records, ledgers, documents, store accounting, store valuation etc. I have carefully considered the documents which the concerned workman relied on. Relying on these documents there is no scope to draw any conclusion that he performed the duties of Store Keeper. MW-1 who was in overall charge of the store in course of his evidence categorically denied the claim of the concerned workman about discharging his duties as Store Keeper.

9. It is admitted fact that the post of store keeper is a cadre post under clerical grade I. NCWA has clearly pointed out how a cadre post is to be filled up. Onus absolutely rests on the sponsoring Union/concerned workman to justify that a general mazdoor in Cat. I is very much entitled to get his regularisation in the post of Store Keeper directly avoiding clear guidance of N.C.W.A. After careful consideration of all the facts and circumstances there is reason to believe that in discharge of his duties as General Mazdoor Cat. I in the store he might have performed some clerical jobs but for that reason there is no scope to say that he was authorised by the management officially to act as Store Keeper. For performance of some duties which are clerical in nature if the claim of the concerned workman is entertained it will not only frustrate the scheme of

promotion as laid down in N.C.W.A., but also the eligible workman who are also expecting their promotion in senior posts will be deprived. If such order is passed it will not only be considered illegal or improper but also it will violate the principle of natural justice. Accordingly, I hold that the concerned workman is not entitled to get any award in support of his prayer.

In the result, the following award is rendered :-

"The demand for regularisation of Sh. Haridwar Chauhan, General Mazdoor as Store Keeper w.e.f. 21-4-90 by the union is not justified. Consequently the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer.

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1346.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II धनबाद के पंचाट (संदर्भ संख्या 48/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-04-2003 को प्राप्त हुआ था।

[सं० एल-20012/430/96-आई. आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1346.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref No. 48/98) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 03-04-2003.

[No. L-20012/430/96-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute Under Section 10(1) (d) of the Industrial Disputes Act, 1947

Reference No. 48 of 1998.

PARTIES:

Employers in relation to Bhulanbararee Colliery of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : None

State : Jharkhand.

Industry : Coal.

Dated, Dhanbad, the 21st March, 2003

ORDER

The Government of India Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/430/96-IR (Coal-I) dated, the 20th February, 1998.

SCHEDULE

"Whether the action of the management of Bhulanbararee Colliery of M/s. BCCL in denial to regularise Shri Ashim Kumar Mitra as M/Clerk is justified ? If not, to what relief the concerned workman is entitled?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. The management also did not appear in this case. It is seen from the record that the instant reference was received by this Tribunal on 16-3-1998 and since then it is pending for disposal. Registered notices were also issued to the workman as well as to the management but none of them turned up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the parties inspite of issuance of registered notices. As per I.D. Act the workman excepting under provisions of Section 2A is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workmen. These unions inspite of receiving notices do not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation on both sides. Here the record will clearly expose that sufficient opportunities had been given to the parties but yielded no result. This attitude shows clearly that the parties are not interested to proceed with the hearing of the case for disposal on merit.

In view of the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1347.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II धनबाद के पंचात (संदर्भ संख्या 88/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-04-2003 को प्राप्त हुआ था।

[सं० एल-20012/51/98-आई. आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1347.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref No. 88/99) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 03-04-2003

[No. L-20012/51/98-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute Under Section 10(1) (d) of the Industrial Disputes Act, 1947

Reference No. 88 of 1999

PARTIES:

Employers in relation to the management of Katras Chaitudih Colliery of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : None

State : Jharkhand. Industry : Coal.

Dated, Dhanbad, the 21st March, 2003

ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/51/98-IR (C-1) dated, the 29th January, 1999.

SCHEDULE

“Whether the action of the management of Katras Chaitudih Colliery of M/s. BCCL in dismissing Shri Salim Ansari, M/Loader w.e.f. 29-5-1996 from the services of the company only on the ground of unauthorised absence from duty from 6-7-1995 is justified? If not, to what relief is the workman entitled?”

2. In this reference neither of the parties turned up before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 12-2-1999 and since then it is pending for disposal. Registered notices were issued to the workman as well the management but in spite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass ‘No dispute’ Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance for the workman and the management in spite of issuance of registered notices. As per I.D. Act the workmen excepting under provisions of Section 2A is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workman. These unions in spite of receiving notices did not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinitely period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2003

SCHEDULE

का. आ. 1348.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, उक्त में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट संदर्भ संख्या 56/2001 को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-4-2003 को प्राप्त हुआ था।

[सं. एल-20012/466/2000-आई. आर. (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1348.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 56/2001) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 3-4-2003.

[No. L-20012/466/2000-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT:

SHRI B. BISWAS,
Presiding OfficerIn the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947.

Reference No. 56 of 2001

PARTIES : Employers in relation to the
Management of M/s. BCCL
and their workman.

APPEARANCES:

On behalf of the
workman : None

On behalf of the
employers : Shri D.K. Verma, Advocate

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 20th March, 2003.

ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/466/2000 (C-I), dated the 19th February, 2001.

“Whether the demand of the union for regularisation of S/Sri Baiju Bhuiya, Bhola Turi, Prem Kumar Prasad and Ramdeo Ram as Short Firer Mazdoor, Trammer, Short Firer helper and Trammer respectively from 1996 is proper and justified? If so, to what relief are the concerned workmen entitled?”

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. However, only the management through made their appearance also have failed to submit their statement. It is seen from the record that the instant reference was received by this Tribunal on 9-3-01 and since then it is pending for disposal. Registered notices were also issued to the workman but inspite of the issuance of notices the workman side has failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry of its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass ‘No dispute’ Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the parties inspite of issuance of registered notices. As per I.D. Act the workman excepting under provisions of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the Union for their workmen. These Unions inspite of receiving notices do not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the Union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation on both sides. Here the record will clearly expose that sufficient opportunities had been given to the parties but yielded no result. This attitude shows clearly that the parties are not interested to proceed with the hearing of the case for disposal on merit.

In view of the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinitely period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B.BISWAS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1349.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के (पंचाट संदर्भ संख्या 26/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-4-2003 को प्राप्त हुआ था।

[सं. एल-20012/6/97-आई. आर.(सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1349.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 26/98) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workmen, which was received by the Central Government on 3-4-2003.

[No. L-20012/6/97-IR(C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD PRESENT:

SHRI B. BISWAS,
Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 26 of 1998

PARTIES : Employers in relation to the Management of Nichitpur Colliery of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None.

On behalf of the employers : Shri D.K. Verma, Advocate

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 20th March, 2003.

ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/6/97-IR (Coal-I), dated the 20th/27th February, 1998.

SCHEDULE

"Whether the action of the management of Nichitpur Colliery of M/s. BCCL in dismissing the services of Shri. B. Mahadeo Bhuiya S/o Shri Soman Bhuiya, Miner/Loader of Nichitpur colliery w.e.f. 12-10-89 is justified? If not, what relief the concerned workman is entitled?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. However, only the management made their appearance in it. It is seen from the record that the instant reference was received by this Tribunal on 16-3-98 and since then it is pending for disposal. Registered notices were also issued to the workman but inspite of the issuance of notices the workman side has failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry of its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624. it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the parties inspite of issuance of registered notices. As per I.D. Act the workman excepting under provisions of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the Union for their workmen. These Unions inspite of receiving notices do not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the Union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit

but it depends on the cooperation on both sides. Here the record will clearly expose that sufficient opportunities had been given to the parties but yielded no result. This attitude shows clearly that the parties are not interested to proceed with the hearing of the case for disposal on merit.

In view of the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinitely period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1350.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को.को.लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 154/95) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-4-2003 को प्राप्त हुआ था।

[सं. एल-20012/485/94-आई. आर. (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1350.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 154/95) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workmen, which was received by the Central Government on 3-4-2003.

[No. L-20012/485/94-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. II) AT DHANBAD

PRESENT:

SHRI B. BISWAS,
Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947.

Reference No. 154 of 1995

PARTIES

: Employers in relation to the
Management of Moonidih
Project of M/s. BCCL
and their workman.

APPEARANCES:

On behalf of the : Shri D. Mukherjee, Secretary
workman : B.C.K.U.

On behalf of the : None.
employers :

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 20th March, 2003.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following Industrial dispute to this Tribunal for adjudication vide their Order No. L-20012/485/94-IR (Coal-I), dated the 3rd November, 1995.

SCHEDULE

"Whether the Union's demand for regularisation by the management of Moonidih Project of M/s. BCCL of S/Shri Nakul Chandra Mahto and Anand Kumar Das as Attendance Clerk and Lamp Issue Clerk respectively is justified? If so, to what relief are the workmen entitled and from which date?"

2. The case of the concerned workman according to W. Statement submitted by the sponsoring Union on their behalf in brief is as follows :—

They submitted that the concerned workmen Nakul Ch. Mahato and Anand Kumar Das have been working as Attendance Clerk and Lamp Issue Clerk respectively under the management since long period against permanent vacancy under direct control and supervision of the management. The job which they performed are permanent in nature and they put 190/240 days attendance in each calendar year. They submitted that as per Wage Board Recommendation the attendance clerk and Cap Lamp Issue Clerk are entitled to get clerical grade II scale at the initial stage but the management has been paying wages to them as per category I illegally and arbitrarily. Accordingly, the concerned workmen and also the union submitted representation to the management for their regularisation in the respective job and for wages as per Wage Board recommendation and also as per N.C.W.A. but they did not consider the prayer in question till date. On the contrary they threatened the concerned workmen to remove them from their respective job. As a result they raised an Industrial Dispute before the ALC(C) for conciliation which ultimately resulted reference to this Tribunal for award.

3. Accordingly, the sponsoring union submitted prayer to pass award directing the management of Moonidih Project to regularise the concerned workmen in their respective job with consequential relief.

4. The management on the contrary after filing W.C.-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the W.S. on behalf of the concerned workmen. They submitted that the concerned workmen were holding the substantive posts of piece rated workers and were deputed to work as miner/loader inside the coal mine. Concerned workman Nakul Chandra Mahato, whose token No. 7259 received injury on 10-3-89 and remained on sick leave for some period. He was finally examined by the Medical Board at Central Hospital Dhanbad on 22-3-90 and declared fit for his original job of miner/loader. Similarly another concerned workman i.e. Anand Kumar Das whose token No. is 7175 got injury on 30-11-88 and for which he remained on sick leave and finally on 14-12-89 he was declared medically fit by the Medical Board for taking up his job as Miner/loader. Thereafter, the said two workmen approached the management for providing light job on the surface as they were having some psychological effect for working inside the mine. They submitted that in view of their approach the local management considering their mental situation allowed them to work as general mazdoor on light job on the surface and in that connection they were attached to lamp room and attendant cabin. At that time it was made clear that they would get category I wages for performing light duties of general mazdoors as they themselves were approaching for the jobs and were expressing their inability to perform the job of miners/loaders because of fear psychosis. They submitted that the concerned workmen were never authorised to deputed to work as a clerk by the competent authority and for which they are debarred from claiming their regularisation as clerk. They disclosed that for the purpose of maintaining uniform policy J.B.C.C.I. has issued circular No. 34 dt. 12-2-84 providing selection and promotion of persons in the clerical cadre. As per the aforesaid circular the first entry in the clerical cadre can be made through selection test from amongst all the eligible candidates of a particular area. As per the said circular equal opportunity should be given to all such persons who have got three years of experience in the company to appear before the selection test for their selection in the clerical cadre as clerk Gr. III. The minimum qualification prescribed was matriculation or equivalent examination from any recognised Board of Examination. They submitted that no permanent vacancy was created for the post of Lamp Clerk or attendance clerk and the concerned workmen never appeared before any selection committee for their absorption in the clerical cadre. It is the management who gave chance to them under special circumstances to learn

clerical job but that did not create any right to provide regular clerical job or to regularise them in clerical post violating circular No. 34 dt. 17-7-84 issued by JBCCI.

In view of the facts and circumstances stated above management submitted that the demand of the sponsoring union for regularisation of the concerned workman as Attendance Clerk and Lamp Issue clerk is without any merit and for which there is no scope to accept the same. Accordingly they submitted prayer to pass award rejecting the claim of the concerned workmen.

5. The points to be decided in this reference are :—

“Whether the Union’s demand for regularisation by the management of Moonidih Project of M/s. BCCL of S/Shri Nakul Chandra Mahato and Anand Kumar Das as Attendance Clerk and Lamp Issue Clerk respectively is justified? If so, to what relief are the workmen entitled and from which date?”

DECISION WITH REASONS

6. It is seen from the record that to substantiate the claim in question the sponsoring Union have examined two witnesses while the management examined one witness in support of their claim. Considering the evidence of both sides and also considering the materials on record I find no dispute to hold that the concerned workmen were initially appointed as piece rated workers by the management and they were deployed in the underground of the mines to work as miner/loader, though it transpires that the sponsoring union omitted to disclose this fact in the W.S. submitted by them on their behalf. The sponsoring union also in the written statement did not mention from which year and month the concerned workmen started working as lamp issue clerk and attendance clerk. The sponsoring union was also silent if the concerned workmen started working in the said posts being appointed by the management. They did not disclose how piece rated workers who were appointed as miners/loaders were posted as lamp issue clerk and attendance clerk. The sponsoring union also in course of hearing have failed to produce any letter of appointment issued by the management in favour of the concerned workman to work as Lamp Issue Clerk and attendance clerk.

7. It is the contention of the sponsoring union that since long the concerned workmen are discharging their duties as Lamp Issue clerk and Attendance clerk but in spite of discharging their duties as such the management have refused to pay wages as per Clerk Gr. II according to the provision of N.C.W.A. They submitted that since long they are working against permanent vacancies and put their attendance for more than 190/240 days in each calendar year. They submitted that the management refused to regularise them in the post of Lamp Issue clerk and

Attendance Clerk Gr. II inspite of submitting representations. On the contrary from the submissions of the management I find quite a different picture. They submitted that concerned workman Nakul Ch. Mahato whose token No. is 7259 and Anand Kumar Das whose token No. is 7175 met accident on 10-3-89 and 30-11-88 respectively and sustained injuries to their persons and for which they went on sick leave. Thereafter on 22-3-90. said Nakul Ch. Mahato appeared before the Medical Board while Anand Kumar Das appeared there on 14-12-89 and they were declared medically fit to resume their original duties. The management further submitted that as fear psychosis was developed to work in the underground they approached the management to provide them with light job and accepting their approach they were posted in the said branches as category I Mazdoor. However, for their future benefit they were allowed to learn clerical jobs by the local management. WW-I though in course of his examination in chief denied the fact of sustaining injury by them admitted the same in course of his cross-examination. They did not disclose when they sustained such injury to their persons. However, from the evidence of MW-I a clear picture has come out when they sustained injury to their person and this fact was not challenged by the sponsoring union when the said witness was cross-examined. However, considering the evidence of WW-I, WW-2 and MW-I I find no dispute to hold that as piece rated miner/loader they sustained their injuries and for which they remained on sick leave for a long period. WW-I or WW-2 during evidence however, denied the fact that on being their approach they were posted in Lamp Issue department and attendance department as piece rated mazdoor. They submitted that the management appointed them as Lamp Issue Clerk and Attendance clerk and in support of such claim WW-I agreed to submit this appointment letter. It is seen that the sponsoring Union in course of hearing has failed to produce any such appointment letter to substantiate their claim in question. However, considering the submission of berth sides I find no dispute to hold that the workmen were posted in the said two branches after they were declared medically fit by the Medical Board in view of the injuries sustained by them due to accident. The management relying on circular No. 34 dt. 17-7-84 has pointed out how a clerk is appointed under the management. They submitted that as per the said circular the posting in the clerical cadre can be made by holding selection test from amongst all the eligible candidates of a particular area having three years experience in the company and the minimum qualification for such appearance is Matriculation, or equivalent. They submitted that violating the said circular in question there is no scope to issue any letter of appointment to any person in the clerical grade. In course of hearing the sponsoring Union have failed to produce

any cogent documents to show that circular No. 34 dt. 17-7-84 is not applicable in the matter of regularisation of the service of the concerned workmen in the clerical grade. No proof is forthcoming on the part of the sponsoring union that the management ignored and refused to regularise the concerned workmen in Clerk Gr. II inspite of possessing requisite academic qualification as per Circular No. 34 dt. 17-7-84 issued by J.B.C.C.I.

8. It is the contention of the sponsoring union that the concerned workman worked more than 190/240 days in each year as Lamp Issue Clerk and Attendance clerk against permanent vacancy and for which the management cannot avoid their responsibility to regularise them as Lamp Issue clerk and Attendance clerk. No evidence is forthcoming to the effect that the post of Lamp Issue clerk and Attendance clerk remained vacant where the concerned workman were deployed. Question of regularisation comes in if it is established that there is regular vacancy. Apart from this fact the most important aspect which is to be considered is whether the instructions given in Circular No. 34 dt. 17-7-84 in the matter of appointment of clerks from the workmen can be ignored merely because of the fact that the concerned workman discharged their duties as Lamp Issue clerk and Attendance clerk for more than 190/240 in each year. The concerned workmen are still in service. As such questions of issuance of notice U/S. 25F did not arise. As in the instant case the concerned workmen were not retrenched or dismissed from service question of regularisation of their service for non-compliance of the provision of Section 25F does not arise. Now the question is if a workman accrues any right to get his service regularised in particular post can be considered because of the fact that he worked in the said post for more than 190/240 days in a year ignoring the standing provision of N.C.W.A. There is no dispute to hold that N.C.W.A. and JBCCI circulars are very much binding upon the employees and employers of the industry. the management referring circular No. 34 dt. 17-7-84 has clearly mentioned how the clerks can be recruited by the management. It is not the case of the sponsoring union that the instructions given in the said circular is not required to be followed as the same are not binding. As such question of regularisation of the services of the concerned workman as they worked for more than 190/240 days in a year cannot be enforced superseding the clear instruction of JBCCI.

8. Considering the evidence of record I find no dispute to hold that these two workmen were posted in the Lamp Issue department and attendance department as General Mazdoor. It is evidence that in course of discharging their duties they performed some works like that of the clerks but for such reason is there any scope to say they have accrued right to place demand for regularisation of their

service as clerk ignoring the specific instruction of J.B.C.C.I. which came into existence under Circular No. 34 dt. 17.7.84. The sponsoring union in course of hearing have failed to establish that a general Mazdoor accrues right to get his service regularised in the post of clerk taking the plea that they were allowed to perform some duties as clerk. It is seen that management did not issue any order asking the concerned workman to perform the duties of Lamp Issue clerk and attendance clerk particularly when it is evident that Lamp Issue clerk and attendance clerk were physically very much in existence officially to perform their duties. As such there was no question of performing such duties by the workman. They being general mazdoor posted there and might perform some duties as clerk unofficially which never created any right to place such claim.

In view of the facts and circumstances discussed above I hold that the sponsoring union have failed to establish their claim and for which they are not entitled to get any relief.

In the result, the following Award is rendered :—

"The Union's demand for regularisation by the management of Moonidi Project of M/s. BCCL of S/Shri Nakul Chandra Mahato and Anand Kumar Das as Attendance clerk and Lamp Issue Clerk respectively is not justified. Consequently, the concerned workmen are not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1351.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई० सी०एल० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 146/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-04-2003 को प्राप्त हुआ था।

[सं. एल-20012/270/2000-आई. आर. (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1351.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.146/2000) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workmen, which was received by the Central Government on 3-04-2003.

[No. L-20012/270/2000-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2 AT DHANBAD

PRESENT:

SHRI B. BISWAS, PRESIDING OFFICER

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 146 of 2000

PARTIES : Employers in relation to the Management of Regional Workshop Mugma of M/s. ECL and their workman.

APPEARANCES

On behalf of the workman : None.

On behalf of the employers : None
State : Jharkhand

Industry : Coal.

Dated, Dhanbad, the 21st March, 2003.

ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/270/2000 (C-I), dated the 25th October, 2000.

SCHEDULE

"Whether the refusal of the management of Regional Workshop Mugma of M/s. ECL to regularise the service of Sri C. B. Singh as Clerk is fair and justified? If not, to what relief is the concerned workman entitled and from what date?"

2. In this reference neither the concerned workman nor his representative appeared. However, the management side appeared through their authorised representative and filed authorisation in this reference before this Tribunal did not submitting any workman statements. It is seen from the record that the instant reference was received by this Tribunal on 24-11-2000 and since then it is pending for disposal. Subsequently the concerned workman failed to appear. Accordingly, registered notices were issued to both the workman side as well as the management but inspite of the issuance of notices they failed to appear before this Tribunal. They also did not even respond to the notices issued by this Tribunal. In natural course the question will arise what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the

basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S./documents such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the workman inspite of issuance of registered notices. As per I.D. Act the workman excepting under provisions of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the Union for their workmen. These unions inspite of receiving notices did not care to appear before the Court for the interest of the workman and as result they have been deprived of getting any justice. Until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer.

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1352.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा० को० को० लि० के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 248/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-04-2003 को प्राप्त हुआ था।

[सं. एल-20012/56/99-आई. आर. (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1352.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 248/99) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute

between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 3-4-2003.

[No. L-20012/56/99-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT:

Shri B. Biswas,
Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947.

Reference No. 248 of 1999

PARTIES : Employers in relation to the
Management of Katras Project
of M/s. BCCL and their
workman.

APPEARANCES:

On behalf of the
workman : Shri S.K. Prasad, Advocate.

On behalf of the
employers : None

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 21st March, 2003.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/56/99 (C-I), dated the 4th June, 1999.

SCHEDULE

"Whether the action of the management of Katras Project of M/s. BCCL in denying the monetary compensation to Smt. Chourasi Kamin W/o. Late Brihaspat Bhuia under clause 9.5.0(II) of NCWA-V whereas employment under 10.4.2 of NCWA-2 had already been denied is justified? If not to what relief Smt. Chourasi Kamin is entitled?"

2. In course of hearing of the instant reference Shri S.K. Prasad, learned Advocate for the workman submitted to pass a 'No dispute' Award in this reference as the concerned workman involved in the dispute is not willing to proceed with it. None appeared for the management. Heard the learned Advocate for the workman. Since the concerned workman involved in the dispute is not willing

to proceed with the instant reference, there is no reason to drag on the same. Under such circumstances, a 'No dispute' Award is rendered and the reference is disposed of on the basis of 'No dispute' Award presuming non-existence of any industrial dispute between the parties, presently.

B. BISWAS, Presiding Officer.

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1353.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा० को० को० लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 222/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-4-2003 को प्राप्त हुआ था।

[सं. एल-20012/552/98-आई. आर. (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

* S.O. 1353.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 222/99) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 3-4-2003.

[No. L-20012/552/98-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT:

SHri B. Biswas,
Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947.

Reference No. 222 of 1999

PARTIES : Employers in relation to the
Management of Amlabad
Colliery of M/s. BCCL and their
workman.

APPEARANCES:

On behalf of the
workman : Shri S.C. Gaur, Advocate.

On behalf of the
employers : Shri H. Nath, Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 13th March, 2003.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/552/98 (C-I), dated the 17th May, 1999.

SCHEDULE

"KYA BCCL AMLABAD PROJECT KE PRABANDHAK DWARA DATED 30-8-95 SE SHRI RAMESHWAR MAHATO, KARMAKAR KA NAAM 'BADLI' KI SUCHI MEN DALA JANA UCHIT HAI? YADI NAHIN, TO KARMAKAR KIS RAHAT KE PATRA HAIN?"

2. In this reference both the parties appeared and filed their respective W.S. Subsequently, when the case was fixed for filing document etc. Shri S.C. Gaur, learned Advocate for the workman by filing a petition submitted before this Tribunal to pass a 'No dispute' Award in this reference as the concerned workman involved in the instant dispute is not interested to proceed with the hearing of the case. No objection was raised on the side of the management if the instant reference is disposed of on the basis of 'No dispute' Award. Perused the petition and also heard both sides. Since the concerned workman involved in the instant reference is not interested to proceed with the hearing of this reference case, there is no reason to keep the same alive. Under such circumstances, a 'No dispute' Award is rendered and the reference case is disposed of on the basis of 'No dispute' Award presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1354.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा० को० को० लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 95/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-4-2003 को प्राप्त हुआ था।

[सं. एल-20012/115/2000-आई. आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1354.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 95/2000) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 3-04-2003.

[No. L-20012/115/2000-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT:

Shri B. Biswas,
Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947.

Reference No. 95 of 2000

PARTIES : Employers in relation to the
Management of M/s. BCCL
and their workman.

APPEARANCES:

On behalf of the
workman : None.

On behalf of the
employers : Shri U. N. Lali, Advocate.

State : Jharkhand : Industry : Coal.

Dated, Dhanbad, the 21st March, 2003.

ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/115/2000 dated the 14th September, 2000.

SCHEDULE

"Whether the demand of the Union to promote Sri Bacha Ram to the post of Fitter is proper and justified? If so, to what relief is the concerned workman entitled and from what date?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. However, only the management made their appearance in it. It is seen from the record that the instant reference was received by this Tribunal on 29-9-2000 and since then it is pending for disposal. Registered notices were also issued

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to the workmanside but inspite of the issuance of notices the workmanside has failed to turn up. In terms of Rule B of the I. D. Central Rules, 1957 submission of W. S. by the concerned workman/union within 15 days is a mandatory one. The concerned workman/union not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference is made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002(94) FLR 634 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the parties inspite of issuance of registered notices. As per I.D. Act the workman, excepting under provisions of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the Union for their workmen. These unions inspite of receiving notices do not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the parties but yielded no result. This attitude shows clearly that the parties are not interested to proceed with the hearing of the case for disposal on merit.

In view of the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1355.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा० को० लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 26/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-04-2003 को प्राप्त हुआ था।

[सं. एल-20012/469/97-आई. आर.(सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1355.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 26/99) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 3-04-2003.

[No. L-20012/469/97-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT:

SHRI B. Biswas,
Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947.

Reference No. 26 of 1999

PARTIES : Employers in relation to the
Management of Govindpur
Area No. III of M/s. BCCL
and their workman.

APPEARANCES:

On behalf of the
workman : None.

On behalf of the
employers : None

State : Jharkhand : Industry : Coal.

Dated, Dhanbad, the 21st March, 2003.

ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/469/97-IR (C-I), dated the 8th January, 1999.

SCHEDULE

“Whether the action of the management of Govindpur Area III of M/s. BCCL dismissing Sh. Nepal Manjhi, Trainman from services of the company is justified ?

If not, to what relief the concerned workman is entitled to ?”

2. In this reference the concerned workman though appeared through his representative did not submit any written statement inspite of giving sufficient opportunities. The management also did not appear. It is seen from the record that the instant reference was received by this Tribunal on 21-1-1999 and since then it is pending for disposal. Registered notices and show cause notices were issued to the both sides but inspite of the issuance of notices they failed to turn up. In term of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally, responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass ‘No dispute’ Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the workman inspite of issuance of registered notices. As per I.D. Act the workmen excepting under provisions of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the Union for their workmen. These unions inspite of receiving notices did not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1356.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हीरालाल एण्ड कम्पनी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 180/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-4-2003 को प्राप्त हुआ था।

[सं. एल-20012/376/1997-आई.आर. (सी. 1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1356.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.180/98) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Hiralal and Company and their workman, which was received by the Central Government on 3-4-2003.

[No. L-20012/376/1997-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

PRESENT : Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 180 of 1998

PARTIES:

Employers in relation to the management of M/s. Hiralal & Company, Ranchi, and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : None

State : Jharkhand. Industry : Coal.

Dated, Dhanbad, the 21st March, 2003

ORDER

The Government of India Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/376/97-IR (C-I) dated, the 27th August, 1998.

SCHEDULE

“Whether the action of the management of M/s. Hiralal and Company in terminating the services of Shri Shambhu Lal, Driver is proper and justified? If

not, to what relief the concerned workman is entitled?”

2. In this reference neither the concerned workman nor his representative appeared. The management side also did not appear before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 14-9-98 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman/union as well as to the management but inspite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass ‘No dispute’ Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the workman inspite of issuance of registered notices. As per I.D. Act the workmen excepting under provisions of Section 2A is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workman. These unions inspite of receiving notices do not appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2003

का. आ. 1357.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 29/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-4-2003 को प्राप्त हुआ था।

[सं. एल-20012/473/97-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 4th April, 2003

S.O. 1357.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 29/99) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 3-4-2003.

[No. L-20012/473/97-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

PRESENT : Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 29 of 1999

PARTIES:

Employers in relation to the management of Shyampur 'B' Colliery of E.C.L. and their workman.

APPEARANCES:

On behalf of the workman : None.

On behalf of the employers : Shri B. M. Prasad,
Advocate.

State : Jharkhand. Industry : Coal.

Dated, Dhanbad, the 20th March, 2003

ORDER

The Government of India Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/473/97-IR (C-1), dated, the 8th January, 1999.

SCHEDULE

"Whether the action of the management of Shyampur 'B' Colliery of E.C.L. regarding recording of age of Sri Bodi Mahato as 8-10-1938 in the service excerpt or not sending him to medical board as per 1-1-1976 of JBCCI for determination of his age is

justified? If not, to what relief the workman is entitled?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. However, only the management made their appearance in it. It is seen from the record that the instant reference was received by this Tribunal on 21-1-99 and since then it is pending for disposal. Registered notices were also issued to the workman but inspite of the issuance of notices the workman side has failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the parties inspite of issuance of registered notices. As per I.D. Act the workmen excepting under provisions of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the Union for their workman. These unions inspite of receiving notices do not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the parties but yielded no result. This attitude shows clearly that the parties are not interested to proceed with the hearing of the case for disposal on merit.

In view of the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1358.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आई.एन.एस. शतवाहन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 227/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-4-2003 को प्राप्त हुआ था।

[सं. एल-14011/16/99-आई.आर. (डी. यू.)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1358.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 227/2002) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of INS Satavahana and their workman, which was received by the Central Government on 7-4-2003.

[No. L-14011/16/99-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD**

PRESENT: Shri E. Ismail, Presiding Officer

Dated: 30th day of January, 2003

Industrial Dispute No. 227/2002

(Old I.D. No. 6/2000 transferred from Industrial
Tribunal-cum-Labour Court, Visakhapatnam)

BETWEEN

The General Secretary,
Indian Navy Civil Employees Union,
Q. No. 5-28, Meghadripeta,
Visakhapatnam-530008.

.....Petitioner

AND

1. The Commanding Officer,
INS Satavahana, Naval Base,
Visakhapatnam-530002.

2. The Flag Officer,
Commanding-in-Chief,
Head Quarters,
Eastern Naval Command,
Visakhapatnam-530014.

.....Respondents

APPEARANCES:

For the Petitioner : Sri K. Balakrishna,
Advocate

For the Respondents : Sri D. Ramesh,
Advocate

AWARD

The Government of India Ministry of Labour by its order No. L-14011/16/99-IR(DU) dated 14-3-2000 referred the following dispute under Section 10(1)(d) of the I.D. Act, 1947 for adjudication to the Industrial Tribunal-cum-Labour Court, Visakhapatnam between the management of INS Satavahana, Visakhapatnam and their workmen. In view of Government of India, Ministry of Labour's Order No. H-11026/1/2001-IR(C-I) dated 18-10-2001 this case has been transferred to this Tribunal bearing No. 6/2000. The reference is,

SCHEDULE

"Whether the action of the management of INS Satavahana, Visakhapatnam in introducing 6.(six) days a week schedule as per their order issued dated 8-9-99 and whether the demand of the Indian Navy Civil Employees Union, Visakhapatnam for introducing 5 days a week schedule for Civilian workmen are legal and justified? If not, to what relief the concerned union is entitled?"

The reference is re-numbered in this Tribunal as I.D. No. 227/2002 and notices issued to the parties.

2. In spite of several adjournments given from 8-7-2002 for evidence of the Petitioner for five adjournments including 30-1-2003 the petitioner has not turned out for the same. The petitioner has failed to produce any evidence in support of his claim. Hence, there is nothing on record to substantiate the case of the Petitioner. Therefore, the reference is ordered against the petitioner and it is held that the petitioner is not entitled for any relief.

Accordingly a 'Nil' Award is passed. Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 30th day of January, 2003.

E. ISMAIL, Presiding Officer

Appendix of evidence

Witnesses examined for Petitioner	Witnesses examined for Respondent
NIL	NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1359.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 15/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-4-2003 को प्राप्त हुआ था।

[सं. एल-40012/284/2001-आई.आर. (डी. यू.)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1359.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 15/2002) of the Central Government Industrial Tribunal/Labour Court Chennai now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom. and their workman, which was received by the Central Government on 7-4-2003.

[No. L-40012/284/2001-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM-LABOUR COURT, CHENNAI

Monday, the 31st March, 2003

PRESENT : K. KARTHIKEYAN, Presiding Officer

Industrial Dispute No. 15/2002

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Sri S. K. Edward Rajkumar and the Management of the Divisional Engineer, Optical Fibre Division, Department of Telecommunications)]

BETWEEN

Sri S. K. Edward Rajkumar : I Party/Workman

AND

The Divisional Engineer,
Optical Fibre Division,
Department of Telecommuni-
cation, Chennai. : II Party/Management

APPEARANCES:

For the Workman : M/s. P.V. S. Giridhar
Associates and
S. Jeevanandham,
Manjula A. Advocates.

For the Management : Sri K. Rajendran CGSC

The Government of India Ministry of Labour in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947), have referred the concerned industrial dispute for adjudication vide Order No. L-40012/284/2001-IR (DU) dated 29-1-2001.

On receipt of the order of reference from the Government of India, Ministry of Labour, this case has been taken on file as I.D. No. 15/2002 and notices were

sent to the parties to the dispute by registered post, with a direction to appear before this Tribunal on 5-3-2002 to file their respective Claim Statement and Counter Statement and to prosecute this case further. Accordingly, the learned counsel on record on either side have filed their respective claim statement and counter statement and prosecuted this case further.

Upon perusing the Claim Statement, Counter Statement, documentary evidence let in on the side of the II Party/Management alone, the other material papers on record, after hearing the arguments advanced by the learned counsel for the II Party/Management alone and this matter having stood over till this date for consideration, this Tribunal has passed the following :—

AWARD

The Industrial Dispute referred to in the above mentioned order of reference by the Central Government for adjudication by this Tribunal is as follows :—

“Whether the termination and non-regularisation of Sri S. K. Edward Rajkumar by the Department of Telecommunications, Optical Fibre Division, Chennai-84 is legal and justified? If not to what relief the workman is entitled?”

2. The averments in the Claim Statement filed by the I Party/Workman Sri S. K. Edward Rajkumar (hereinafter refers to as Petitioner) are briefly as follows :—

The Petitioner initially joined the Department of Telecommunications under the II Party/Management as a Heavy Motor Vehicle Driver on 22-6-99. From the inception of his service, he has been discharging his duties in a sincere and dedicated manner and won the appreciation of his superiors. He was allotted additional work of watchman on 30-12-2000. He was paid Rs. 85/- per day as wages generally on weekly basis. He has a blemishless record of service. He requested the department to regularise his service and also seeking payment of statutory benefits. When the Petitioner reported for work on 8-3-2001, he was informed that his services were no more required. He was not issued any notice assigning any reason for his termination. His services were orally terminated on 8-3-2001. The said action of the II Party/Management is arbitrary, unreasonable and violative of the principles of natural justice. Without conducting any enquiry, the Petitioner's services were terminated. It amounts to unfair labour practice. It is also in violation of Articles 21 and 23 of Constitution of India. The Petitioner has been denied the benefits of ESI and Provident Fund. No retrenchment compensation nor any notice for retrenchment containing reason has been given to the Petitioner. No notice has been issued to the Central Govt. The II Party/Management employs more than 100 workmen and as such are bound by Section 25N of the Industrial Disputes Act, 1947. It is an obligatory on the part of the

II Party/Management to issue three months notice in writing to the workmen indicating the reasons for retrenchment or pay wages for the period of notice in lieu of such notice and to obtain prior permission of the Central Govt. before retrenching the Petitioner. Therefore, the termination of the Petitioner's services by the II Party/Management is arbitrary, unlawful and violative of Section 25N of the Industrial Disputes Act, 1947. The industrial dispute raised by the Petitioner before the authority ended in failure of conciliation and on the submission of failure of conciliation report by the authority, this dispute has been referred by the Govt. to this Tribunal for adjudication. Hence, it is prayed that this Hon'ble Tribunal may be pleased to direct the II Party/Management to reinstate the Petitioner in service with back wages and all other consequential benefits.

3. The averments in the Counter Statement filed by the II Party/ Management, Optical Fibre Division, Department of Telecommunications, Chennai (hereinafter refers to as Respondent) are briefly as follows :—

The Petitioner approached the department during July, 1999 for any work and hence he was engaged as an outsider intermittently on daily wages, whenever the regular drivers availed leave provided if his service is required. The Petitioner had worked intermittently for 76 days during the year 1999 and 131 days in 2000. Subsequently, he was not engaged since his service was no more required. The allegation of the Petitioner that he was orally terminated from service on 8-3-2001 is denied as false and incorrect. The Petitioner was not appointed and terminated at any point of time since the Petitioner was not worked 240 days in 12 calendar months and since the Petitioner was not appointed and terminated the question of termination and notice under Section 25F of Industrial Disputes Act does not arise. The Department of Telecommunications is not covered under ESI and other schemes. Since the Petitioner was never appointed by the department, the question of giving notice for retrenchment the reasons for retrenchment and compensation for retrenchment etc. does not arise. There are less than 50 persons working in the Optical Fibre Equipment Division. The Respondent has not violated the principles of natural justice and the provisions of the Industrial Disputes Act. The act of the management is legal and justified. The Petitioner is not eligible to get any relief as prayed for in his claim petition. Therefore, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the claim of the Petitioner.

4. When the matter was taken up for enquiry, no one has been examined as a witness on either side. The Petitioner has not filed any document. With the consent of the Petitioner's counsel, the II Party documents have been marked as Ex. M1 and M2 series. The counsel for the I Party/Workman has not chosen to advance arguments, in spite of sufficient opportunity was given. The learned

counsel for the II Party/Management advanced his arguments.

5. The point for my consideration is —

“Whether the termination and non-regularisation of Sri S.K. Edward Rajkumar by the Department of Telecommunications, Optical Fibre Division, Chennai-84 is legal and justified? If not to what relief the workman is entitled?”

Point:—

It is admitted that the Petitioner was engaged by the Respondent Department as Heavy Motor Vehicle Driver and he was paid Rs.85/- per day as daily wages. It is the contention of the Petitioner that he was first engaged as a Heavy Vehicle Driver on 22-6-99 and when he reported for work on 8-3-2001 he was informed that his services were no more required and that he was requesting the department to regularise his services. Nothing has been mentioned in the Claim Statement that ever since his engagement as Heavy Motor Vehicle Driver on 22-6-99, he was working continuously under the Respondent/Management of Department of Telecommunications till he was orally terminated on 8-3-2001. On the other hand, it is the specific contention of the Respondent in their Counter Statement that during July, 1999 the Petitioner approached the department for any work and hence he was engaged as an outsider intermittently on daily rates wages whenever the regular drivers availed leave and that he had worked intermittently for 76 days during the year 1999 and 131 days in 2000 and subsequently he was not engaged since his service was no more required. In support of this contention, the Respondent has filed documents as Ex.M1 and M2 series. The entries made in the Log Book of vehicle maintained by the Department of Telecommunications, Optical Fibre Division, Madras, from 1-8-99 to 31-10-2000 has been filed as Xerox copies and the same has been marked as Ex.M1 series with the consent of the counsel for the I Party. Ex.M2 series is the statement of different vehicles driven by the Petitioner from the month of July, 1999 to October, 2000, the actual period he has been engaged as a driver in those vehicles. As per these statements he has worked for a total number of 87 days intermittently in the year 1999 and 130 days intermittently in the year 2000. For these corresponding entries available in Ex.M1 series Log Book, the Petitioner has subscribed his signature in the column 'Driver's signature'. This has not been disputed by the Petitioner. It is also the specific contention of the Respondent/Management in their Counter Statement that the Petitioner was not worked 240 days in 12 calendar months and he was neither appointed nor terminated from service by the Respondent department. This has not been denied as false by the Petitioner. Such being the case, as contended by the Respondent/Management there is no question of retrenchment and notice under Section 25F of the Industrial Disputes Act, 1947.

The Petitioner has come forward with this dispute against the Respondent Telecom Department management claiming the relief of reinstatement in service and regularisation of his service. It is not his averment in his Claim Statement that he has continuously worked for 240 days in 12 calendar months period under the Respondent/Management. It is also not his case that he has been given a letter of appointment at the time of his initial engagement by the Respondent/Management of Department of Telecommunications in Optical Fibre Division, Chennai and he had worked for 240 days immediately preceding 8-3-2001 within a period of 12 months. He has also not pleaded that any order of termination has been issued by the Respondent/Management to remove him from service. On the other hand, it is his specific contention that his services were orally terminated on 8-3-2001. It is also not stated in his Claim Statement that as to who informed him on 8-3-2001 that his services were no more required. As it is held by the Hon'ble Supreme Court in a case reported as 2002 (1) LLJ 1053 RANGE FOREST OFFICER Vs. S.T. HADIMONI that "the claimant has to lead evidence to show that he had worked for 240 days in preceding year by producing receipt of salary or wages or letter of appointment. Mere filing affidavit by claimant is not sufficient evidence as it is his own statement." When especially the Respondent has relied in their Counter Statement that the Petitioner/Workman had not worked for 240 days, it is for the Petitioner/Workman to prove by acceptable evidence that he had worked for 240 days preceding the alleged non-employment on 8-3-2001. In a case reported as 2000 1 LLR 747 RAMGOPAL SAINANI Vs. The JUDGE, LABOUR COURT, JAIPUR AND OTHERS, the Hon'ble High Court of Rajasthan has held that "when the Petitioner/Workman has not completed 240 days the compliance of Section 25F by the Respondent/Management is not required and it is for the workman to prove with documentary evidence that the Respondent/Management had violated the provisions of Section 25H and 25G of the Industrial Disputes Act, 1947." In this case, the Petitioner has not pleaded that subsequent to his non-engagement, the Respondent/Management has engaged somebody in his place as a violation of Section 25H and 25G of the Industrial Disputes Act, 1947. It is the specific contention of the Respondent/Management in their Counter Statement that after engaging the Petitioner intermittently for a period of 131 days in the year 2000 he was not engaged since his service no more required. It is also the specific contention of the Respondent/Management in their Counter Statement that the Petitioner was engaged as an outsider intermittently on daily rated wages whenever the regular drivers availed leave. This has not been denied by the Petitioner. From this, it is evident that the Petitioner has been engaged by the Respondent/Department of Telecommunications in their Optical Fibre Equipment Division as Heavy Vehicle Motor Driver whenever the regular drivers availed leave and he had worked as such as an outsider intermittently on daily

rated wages and he has never been appointed as a regular driver in the Respondent department. So under such circumstances, there is no question of any termination of service of the Petitioner by the Respondent/Management and there is no question of retrenchment and notice under Section 25F of Industrial Disputes Act. So on the basis of the facts available in this case, it is seen that there is no question of regularisation of service of the Petitioner by the Respondent/Management. So, the termination as well as non-regularisation of service of the Petitioner by the Department of Telecommunications, Optical Fibre Division, Chennai does not at all arise.

6. It is also contended by the Petitioner in his Claim Statement that no retrenchment compensation was issued to him in lieu of notice. As stated earlier there is no violation of Section 25F of Industrial Disputes Act, 1947 by the Respondent/Management for the non-engagement of the Petitioner in service. So the question of payment of compensation in lieu of notice also does not arise.

7. It is the further contention of the Petitioner in his Claim Statement that the Respondent employs more than 100 workmen and as such bound by Section 25N of the Industrial Disputes Act, 1947 and the Respondent/Management had not obtained prior permission of the Central Govt. before retrenching him from service and it is obligatory on the part of the Respondent to issue him three months' notice in writing indicating the reasons for retrenchment or pay wages for the period of notice in lieu of such notice. To substantiate this contention, the Petitioner has not let in any acceptable evidence. On the other hand, it is the definite contention of the Respondent/Management in their Counter Statement that the Respondent/Department of Telecommunications, Optical Fibre Equipment Division, Chennai, has got less than 50 persons as workmen in their Equipment Division. So, the provision under Section 25N of the Industrial Disputes Act, 1947 is not applicable. So, under such circumstances, it is incorrect to state that the Respondent Department has terminated the services of the Petitioner without giving notice indicating reasons for retrenchment and has not paid wages for the period of notice and has not obtained prior permission from the Central Govt. before retrenching the Petitioner from service and thus, the Respondent department has violated the provisions of Section 25N of the Industrial Disputes Act. In view of the above contentions, it can be held that there is no termination of service of the Petitioner Sri S.K. Edward Rajkumar by the Department of Telecommunications, Optical Fibre Division, Chennai and there is no scope for regularisation of his service by the Respondent Department. So, the question of termination and non-regularisation of service of the Petitioner in the Respondent Department does not at all arise. Under such circumstances, the Petitioner/Workman is not entitled for any relief. Thus, the point is answered accordingly.

8. In the result, an Award is passed holding that the concerned workman Sri S.K. Edward Rajkumar is not entitled for any relief. No Cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 31st March, 2003.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :—

On either side : None

Documents Exhibited :—

For the I Party/Workman : Nil

For the II Party/Management :—

Ex.No.	Date	Description
M1 series (27)		Xerox copy of the Log Book of vehicle
M2 series (2)		Xerox copy of the statement showing vehicle No. and number of days the Petitioner had driven for the period 1999 to 2000.

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1360.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण भुवनेश्वर के पंचाट (संदर्भ संख्या 61/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2003 को प्राप्त हुआ था।

[सं. एल-22012/188/99-आई.आर. (सी.-II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1360.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.61/2001) of the Central Government Industrial Tribunal-cum-Labour Court Bhubaneswar now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of MCL and their workman, which was received by the Central Government on 4-4-2003.

[No. L-22012/188/99-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT BHUBANESWAR**

PRESENT : Shri S. K. Dhal, OSJS, (Sr. Branch),
Presiding Officer, C. G. I. T.-cum-Labour
Court, Bhubaneswar

Tr. INDUSTRIAL DISPUTE CASE NO. 61/2001

Date of conclusion of hearing—13th March 2003

Date of Passing Award—25th March 2003

11546/03-13

BETWEEN

The Management of the General
Manager, Orient Area, MCL,
P.O. Brajarajnagar,
Dist. Jharsuguda 1st Party Management

AND

Their workmen represented through
The General Secretary, Brajarajnagar
Coal Mines Workers Union,
At/Po. Rampur colliery,
Via. Brajarajnagar,
Dist. Jharsuguda. ... 2nd Party-Union.

APPEARANCES:

Shri S.P. Gupta, Area Personnel : For the 1st Party
Manager. Management.

Shri D. Mohanta, Vice President : For the 2nd Party
Brajarajnagar Coal Mines Workers Union
Union.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-22012/188/99/IR(CM-II), dated 25/31/08/1999;

"Whether the demand of the Brajarajnagar Coal Mines Workers Union for regularization of Shri Hadi Rohidas and other Store Boys/Mazdoors in Rampur colliery store Department and payment of differential wages to them as per NCWA agreement is justified? If not, to what relief the workmen are entitled?"

2. The 2nd Party who is the General Secretary, Brajarajnagar Coal Mines Workers Union is representing S/Shri Hadi Rohidas, Krushna Rohidas, Karna Kar Rodhda, Bhim Rohidas, Murali Rohidas, Sena Rohidas, Debraj Rohidas and Sashi Rohidas. The case of the 2nd Party is that the above disputants are the residents of Rampur Chamapara, in the district of Jharsuguda. They are engaged as Store Boys/ Mazdoors in Rampur Colliery Store since the year 1985 and they are doing the work of loading, unloading, stacking of store items like Gas Cylinders, M. S. Rods, Drums, Props, Sleepers, Chain Conveyors, Angles, Components, G.I. Pipes, Khumta, Dolomite Powder, Cement, Lubricant drums etc. continuously by working daily for eight hours and even in some days more than eight hours. Their work is closely connected to the production in the mines of Rampur and Bundia. According to them, the natures of job performed by them are regular and perennial in nature. They received wages directly from the 1st Party- Management. The payment vouchers are prepared by the 1st Party-

Management in the name of one individual workmen and the same amount was distributed equally amongst the workers. There is master and servant relationship between them. After the visit of the Asstt. Labour Commissioner (Central) and Labour Enforcement Officer (Central), Rourkela the workers were kept under a so called contractor from the year 1996 but their work is directly being supervised by the Management. The disputants have rendered services for about 15 years but their service have not been regularized. So the Union raised the grievance for regularization of the disputants. It is further submitted that one of the clauses of the National Coal Wage Agreement (in short NCWA) provides that industry shall not engage Labour through contractor or engage contractors Labour on jobs of permanent and perennial in nature. Since, the agreement entered into between the parties under the provisions of Industrial Disputes Act as the same is binding on parties the 1st Party-Management did not regularize the services of the above disputants but has taken recourse to unfair Labour practice. They raised a dispute, conciliation failed, so the present reference has been made. In the Claim Statement, prayer has been made to pass award directing the 1st Party-Management for regularization of eight disputants from the date of their services with further prayer for payment of differential of wages with all consequential service benefits to the disputants from retrospective dates of their initial engagement.

3. The 1st Party-Management has filed their Written Statement. The 1st Party-Management in their Written Statement has pleaded that, the company engaged in mining and selling of coal in the State of Orissa. For administrative convenience, the Company has been divided into different areas/colliery. Rampur Colliery is one of such Colliery under Orient Area of Mahanadi Coal Fields Ltd. The disputants are engaged as contractors of MCL to perform the contractual jobs of loading, unloading, stacking of store items. They are in contractual job of small departmental store at Rampur. Their job work are intermittent and casual in nature and do not require maintaining the permanent work force. The company has schedule rates for meeting such contingency known as G.M. Schedule for meeting the casual jobs and so they are paid according to the jobs performed by them on the certified rate. Further case of the 1st Party-Management is that no appointment letters has been issued to them nor the 1st Party-Management exercises any supervision or control over the said disputants. They raised a dispute for their regularization and for payment of differential wages before the Conciliation Officer, which was ended in a failure. The disputants being the contractors, there is no existence of employer and employee relationship between them. Their further pleadings is that, the disputants are not the workmen within the meaning of Section 2(K) of the Industrial Disputes Act and that the jobs attended by them is not permanent and perennial in nature. The engagement of the disputants as Store Boys/Mazdoors under the 1st Party-Management has been

denied. The payment vouchers in relation to payment of weekly or monthly wages, those were issued against the persons for payment of a particular job. The pay vouchers is not sufficient to satisfy that there was master and servant relationship between the disputants and the 1st Party-Management.

4. The 2nd Party has also filed his rejoinder on receipt of the copy of the Written Statement from the 1st Party-Management. While pleading the same as pleaded in their Claim Statement, it has been stated that, the workers being the Class-IV employees their works is supervised by one of the experienced officer of the 1st Party-Management and so that would suggest that, they are under the direct control of the 1st Party-Management.

5. On the above pleading of the parties, the following Issues have been settled.

ISSUES

1. Whether the disputants of the 2nd Party are the workmen as per the definition of Section 2(K) of the Industrial Disputes Act?

2. Whether the demand of the 2nd Party-Union for regularization of Sh. Hadi Rohidas and other Store Boys/Mazdoors in Rampur Colliery Store Department and payment of differential wages to them as per NCWA agreement is justified?

3. If not, to what relief the workmen are entitled?

6. On behalf of the 2nd Party-Union three witnesses have been examined. The 1st Party-Management has examined two witnesses and has exhibited eight documents.

FINDINGS

ISSUE NO. 1

7. It is submitted on behalf of the 1st Party-Management that the disputants employed by the Contractors for working as contract Labourers are not their workmen within the meaning of Section 2(K) of the Industrial Disputes Act and as there is no relationship of master and servant between the 1st Party-Management and those disputants, there could not exist any Industrial Disputes between them. On the other hand, it is submitted or behalf of the 2nd Party that, even if the disputants though treated as contract labourers can raise a dispute coming under the definition 'any person' appearing in Section 2(K) of the Industrial Disputes Act. Reference may be made in the case of Workmen of Dahingepara Tea Estate -Versus- Dahingepara Tea Estate, reported in AIR 1958 SC 1026. In that case, it was held that, where the workmen raise a dispute as against their employer, the person or persons regarding whose employment or non-employment the dispute is raised need not be, strictly speaking, 'workmen' within the meaning of the Act, but must be persons in whose employment or non-employment the 'workmen' as a class have a direct or substantial interest. The work 'any person' in Section 2(K) of the Industrial Disputes Act can not be construed very narrowly or can it be given a very wide

meaning. The said words are to be interpreted in a reasonable manner, naturally, depending on the facts of echoes. In case where there is a community of interest because the employment and non employment under the circumstances is a matter, which concerns the workers. The persons raising a dispute will come under the workman and there exists the relationship of employer and employee and the Industrial Dispute is maintainable. This Issue is answered accordingly.

ISSUE NO. II

8. It is submitted on behalf of the 1st Party-Management that the disputants have failed to make out a case for absorption because they have not produced any appointment letter to have been issued to them and they have not proved that they have worked for 240 days in a calendar year. It is further submitted that, the work being casual in nature, the engagement of the disputants were intermittent and when there is no vacancy the question of absorption of the disputants does not arise. On the other hand, it is submitted on behalf of the 2nd Party that, when the engagement of the disputants have been admitted the question of production of any appointment letter does not arise. As regards the work done, it is submitted on behalf of the 2nd Party that the witness of the 1st Party-Management has admitted that the disputants are working for a long period i.e. since 1985. So, the 1st Party-management can not take a stand that they have not worked for 240 days in a calendar year.

9. No documents have been filed on behalf of the 2nd Party except one, which is the copy of the attendance register. The 2nd Party has tried to establish that, their attendance was taken. The said documents could not be exhibited as it could not be proved on behalf of the 2nd Party. Admittedly, the 1st Party-Management has not issued any order of appointment/engagement to the disputants and they have not been appointed against any vacant posts. Ext.-A, Ext.-B, Ext.-C, Ext.-D, Ext.-E, Ext.-F and Ext.-G are some receipts which reveals that payment has been made to one of the disputants for doing a particular work as contract labourer. These documents have not been challenged by the 2nd Party. So, there is no materials before the Tribunal to record a finding that each of the disputants has worked for 240 days in a calendar year against any vacant post for which he was appointed. Three witnesses have been examined on behalf of the 2nd Party-Union. One is the clerk of the 1st Party-Management, the Witness No. 2 is one of the disputants and the Witness No. 3 is the executive member of the Union. 2nd Party Witness No. 2, who is one of the disputants in the cross examination has admitted that they were getting payments on the date on which they worked. That would suggest that, the disputants were not engaged continuously. In the cross examination, he has also further admitted that they were doing the work of loading and unloading of explosive substances and the explosive substances are not coming to the store every day. This submission of the witness No. 2 of the 2nd Party would suggest that, the engagement of

the disputants was dependent on the availability of the work. When the disputants have been appointed by the 1st Party-Management and the disputants have not faced any selection process and that when they have failed to prove that they have worked for 240 days in a calendar year, I am of the opinion that they are not entitled for regularization, particularly when no posts are lying vacant and that in view of the admission by the witness examined on behalf of the 2nd Party that there engagement is not continuous. Hence, this Issue is answered accordingly.

ISSUE NO. III

10. In view of my findings given in respect of Issue No. II the disputants of the 2nd Party-Union are not entitled for any relief.

11. Reference is answered accordingly.

Dictated & Corrected by me.

S.K. DHAL, Presiding Officer

**BEFORE THE C.G.I.T.-CUM-LABOUR COURT,
BHUBANESWAR**

Tr. ID. Case No. 61/2001

List of the Witnesses Examined on behalf of the 2nd Party-Union.

W.W.No.1. Shri Purna Chandra Rao.

W.W.No.2. Shri Murali Rohi Das.

W.W.No.3. Shri Gajanan Sahoo.

List of the Witnesses Examined on behalf of the 1st Party- Management.

M.W.No. 1. Shri Hare Krishna Swain.

M.W. No. 2. Shri Thoms Parmanik.

List of the documents Exhibited on behalf of the 2nd Party- Workman.

No documents have been exhibited. Copy of the Attendance register maintained by the Store Officer is Marked 'X'.

List of the documents Exhibited on behalf of the 1st Party- Management.

- | | |
|---------|--|
| Ext.-A. | Coolee Bill dated 1-6-95 for Rs. 2,068.70 |
| Ext.-B | do-dated 4-5-95 for Rs. 1,424.85 |
| Ext.-C. | do-dated 18-5-95 for Rs 1,708.90 |
| Ext.-D. | Copy of receipts showing payment made by the Management dated 20-5-1995, Bill dated 18-5-1995. |
| Ext.-E. | Copy of receipts showing payment made by the Management dated 6-5-1995, Bill dated 4-5-1995. |
| Ext.-F. | Copy of receipts showing payment made by the Management dated 3-6-1995, Bill dated 1-6-1995. |
| Ext.-G. | Copy of the G.M.Schedule Rates dated 4-6-1998 |
| Ext.-H. | Copy of the G.M.Schedule Rates. |

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1361.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय ई. सी. एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण असनसोल (संदर्भ संख्या 11/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-04-2003 को प्राप्त हुआ था।

[सं. एल-22012/232/2000-आई. आर.(बी. II)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1361.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 11/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 04-04-2003.

[No. L-22012/232/2000-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

Present : Shri Ramjee Pandey
Presiding Officer

Reference No. 11 of 2001.

Parties : Agent, Sodepur Colliery
of E.C.L. ...Management

Vrs.

Sri Tapa Narayan Nunia,
U. G. Loader ...Workman.

Representation :

For the Management : Shri P. Goswami,
Advocate.

For the Union (workman) : Shri S. K. Pandey,
Chief General Secy.,
Koyala Mazdoor Congress,
Asansol.

Industry : Coal. **State :** West Bengal.

Dated, the 24th January, 2003

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947, Govt. of India through the Ministry of Labour vide its order No. L-22012/232/2000-IR(C.II) dated 27-4-2001 has referred the following dispute for adjudication by this tribunal :

“Whether the action of the management of Sodepur Colliery under M/s Eastern Coalfields

Ltd, in dismissing the services of Sri Tapa Narayan Nunia, U.G. Loader w.e.f. 20-02-2000 is legal and justified? If not what relief Sh. Nunia is entitled to?”

2. In response to the summons issued by the Tribunal both the parties appeared through their respective representatives. Shri P. Goswami, Advocate appeared for the management and Shri S. K. Pandey, Chief General Secretary of Koyala Mazdoor Congress appeared for the union. Both the parties filed their respective written statements and contested the dispute.

3. The facts of the case, in brief, are that the workman viz. Shri Tapa Narayan Nunia was an employee of M/s. ECL and was posted at Sodepur Colliery as U. G. Loader. The workman was dismissed from service on the ground of unauthorised absence from his duty from 30-6-1999 to 17-9-1999. The union has challenged the order of dismissal of the workman from his service.

4. The case of the union (workman), in brief, is that the wife of the workman become seriously ill and he was busy in attending his wife. The workman did not become absent deliberately rather the situation was beyond his control. No sooner the wife of the workman recovered he reported for duty but was not allowed by the management rather he was served with a charge-sheet. Although the workman took part in the enquiry proceeding but he was not given opportunity to defend himself. He was not supplied either the documents of day to day proceeding or the findings of enquiry. He was not served even with the second show-cause notice. Further case of the union is that the punishment of dismissal from service is harsh and disproportionate. Although he was dismissed but the order of dismissal was passed by the manager of the colliery who was not the competent authority, hence the order of dismissal is illegal and unjustified. A prayer has been made to direct the management to reinstate the workman in service with back wages.

5. The case of the management, in brief, is that the absence of workman was unauthorised because he had neither obtained leave or given prior information to the management. The management served a charge-sheet to the workman and an enquiry proceeding was conducted in which the workman fully participated. He was given fully opportunity to defend himself. After conducting the enquiry proceeding the Enquiry Officer submitted enquiry report in which he has arrived at a finding that the charge against the workman has been established. In past also the workman usually absented himself from duty. Further case of the management is that principle of natural justice has not been violated and the punishment of dismissal from service is legal and justified which does not require interference by the Tribunal.

6. Although in the written statement the union has pleaded that the workman was not given opportunity to defend himself but during hearing on the point of fairness and validity of enquiry proceeding the union did not

challenge the same and hence by order dated 22-8-02 the enquiry proceeding has been held to be fair and valid.

7. First point for consideration is as to whether the management has established the charge against the workman and as to whether the finding of Enquiry Officer is based on evidence and the same is correct. In this connection I perused the enquiry report as well as the materials collected during enquiry. It is admitted fact that the workman was absent from his duty from 30-6-1999 to 17-9-1999 without any leave or prior intimation to the competent authority. Only plea is taken on behalf of the workman in this regard that due to the fact that his wife was seriously ill, he could not attend his duty. During enquiry proceeding also he had pleaded the same fact but no evidence in support of illness of his wife was given. Although the Enquiry Officer has not discussed this aspect of the matter but I find that the workman has failed to prove the fact that his wife was ill and hence this plea of the workman can not be accepted. In this view of the matter I find that charge against the workman has been established and the finding of Enquiry Officer is correct.

8. Next point for consideration is as to whether the punishment of dismissal from service is harsh and disproportionate. In this regard it was submitted on behalf of the workman that in past the workman was neither served with any charge-sheet nor he was ever punished for any type of misconduct. The present charge is not so serious which can warrant maximum punishment of dismissal from service. Learned lawyer for the management contended that in past also the workman had poor attendance and considering the past record the order of dismissal is justified. In view of contrary submissions I perused the materials collected during enquiry and I find that in past the workman was not charged for any type of misconduct. Although the Enquiry Officer has mentioned the fact of absence of the workman in past but the charge-sheet does not include the same and that can not be considered at all. Before passing the order of dismissal also no second show-cause notice was given and hence I find that past record of the workman was clear. Only charge against the workman remains established that he became absent from his duty for the first time for a period of two months seventeen days. In my opinion the misconduct is not serious warranting the capital punishment.

9. In view of above discussion I find that the punishment of dismissal is shocking and disproportionate to the nature of mis-conduct. Hence the order of dismissal is set aside. The management is directed to reinstate the workman in service. Although the management has neither pleaded nor proved that the workman was gainfully employed anywhere but considering that fact that charge against the workman has been proved, he is entitled to only 50% of the back wages. In the above manner the award is passed.

RAMJEE PANDEY, Presiding Officer

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1362.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय बी. सी. सी. एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण आसनसोल (संदर्भ संख्या 10/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-04-2003 को प्राप्त हुआ था।

[सं. एल-22012/52/98-आई. आर. (सी. II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1362.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 10/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of BCCL and their workmen, which was received by the Central Government on 04-04-2003.

[No. L-22012/52/98-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

Present : Shri Ramjee Pandey
Presiding Officer

Reference No. 10 of 1999.

Parties : Agent, Victoria West Colliery of
of B.C.C. Ltd. ...Management

Vrs.

Shri Prayag Singh,
U. G. Loader ...Workman.

Representation :

For the Management : Shri P. K. Das, Advocate.

For the Union (workman) : Shri L. S. Prasad,
Joint General Secy.,
Dhanbad Colliery
Karmachari Sangh (BMS).

Industry : Coal. State : West Bengal.

Dated, the 31st January, 2003

AWARD

In exercise of powers conferred by clause(d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947, Govt. of India through the Ministry of Labour vide its order No. L-22012/52/98-IR(CM-II) dated 21-01-1998 has referred the following dispute for adjudication by this Tribunal :

“Whether the action of the management of Victoria West Colliery of Bharat Cooking Coal Ltd., in

dismissing Sri Prayag Singh, U.G. Loader is justified? If not to what relief the workmen is entitled to?"

2. In response to the summons, issued by the Tribunal both the parties appeared through their respective representations. The management appeared through Sri P. K. Das, Advocate and the Union (workman) appeared through Sri L. S. Prasad, Joint General Secretary of Dhanbad Colliery Karamchari Sangh (BMS). Both the parties filed their respective written statements and contested the disputes.

3. The facts of the case, in brief, are that the workman namely Sri Prayag Singh was an employee of M/s. B.C.C.L. and posted as U.G. Loader at Victoria West Colliery, Area XII. He was chargesheeted and after domestic enquiry dismissed from service on ground of absence from duty from 30-4-1994 to 27-7-1995 and the Union has challenged the order of dismissal.

4. The case of the Union (workman), in brief, is that the workman fell ill and was undergoing treatment in Government hospital due to which he was unable to perform his duty for the alleged period. During enquiry also he had taken the plea of illness and produced the papers of medical treatment by the doctor of government hospital but the enquiry officer did not consider the same and gave a wrong finding. The enquiry proceeding was conducted ignoring the principle of natural justice, because the workman was not given adequate opportunity to defend himself. The order of dismissal from service is illegal and unjustified. On the above pleadings a prayer has been made to direct the management to reinstate the workman in service with back wages.

5. The case of the management, in brief, is that the workman became absent from his duty without leave or prior intimation to any competent authority of the management and the absence of the workman was unauthorised. The workman was charge-sheeted for this misconduct and after conducting domestic enquiry his misconduct was established due to which he was dismissed from his service. The workman was given sufficient opportunity to defend himself and he participated during enquiry. Although the workman produced medical certificates in support of his plea of illness but he did not inform the management in this regard earlier. The workman was a habitual absentee and in past also he had poor attendance. The absence of the workman was for a long period of one year three months and hence the punishment of dismissal is legal and justified.

6. Although Union has pleaded in this W.S. that no adequate opportunity was given to the workman to defend himself but at the time of hearing on the point of fairness and validity of enquiry proceeding the representative of the union did not challenge the same and hence by order dated 31-12-2002 the enquiry proceeding has been held to be fair and valid.

7. First point for consideration is as to whether the charge against the workman has been established and the finding of enquiry officer is correct. In this regard it was submitted by the representative of the Union that the workman has positively stated before the enquiry officer that he was ill and suffering from kidney problem for which he was undergoing treatment by Dr. H.S. Prasad, Asst. Civil Surgeon of Jamui P.H.C. and later on he was admitted in Amui hospital due to which could not attend his duty but the enquiry officer neither considered this evidence nor disbelieved the same. In support of plea of illness the workman produced the medical certificate which was sufficient proof of illness of the workman but the enquiry officer did not consider the same and hence the finding of enquiry officer is against the nationals on record. On the other hand learned lawyer for the management submitted that the workman could not get the treatment from the hospital of the company and he could not give information to the management earlier and hence his plea cannot be accepted.

8. In view of contrary submissions I perused the enquiry report and materials collected during enquiry. It is admitted fact that the workman was absent from his duty from 30-4-1994 to 27-7-1995. The only plea is taken by the workman that due to sickness he was absent. During enquiry he has positively stated that he was suffering from kidney trouble and was undergoing treatment by doctor of government hospital. He also produced the medical certificates in support of his plea. I find that the enquiry officer has not considered the evidence produced by the workman and has given no reason either for rejecting or accepting the same. Simply because the workman got medical treatment from government doctor and not by doctor of the company his plea of illness cannot be disbelieved. In this view of the matter I find that the workman was ill during this period due to which he could not resume his duty and the absence of the workman was not deliberate rather in circumstance beyond his control. Hence I find that charge against the workman has not been established and the finding of enquiry officer is baseless and wrong.

9. As discussed and held above the charge of unauthorised absence of the workman has not been established. Only fault on the part of the workman is that he should not inform the management about his cause of absence by any source but this cannot be a ground to award maximum punishment of dismissal from service. In my opinion the punishment of dismissal is shocking and unjustified. Hence the order of dismissal is set aside and the management is directed to reinstate the workman in service. It is neither pleaded nor proved by the management that the workman was gainfully employed anywhere, but in the facts and circumstances of the case the workman will be entitled to 75% of the back wages. In the above manner award is passed.

RAMJEE PANDEY, Presiding Officer

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1363.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय, एस. एस. सी. एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद (संदर्भ संख्या 291/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-04-2003 को प्राप्त हुआ था।

[सं. एल-22012/35/2002-आई. आर.(सी. II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1363.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref.No. 291/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in the relation to the management of SCCL and their workmen, which was received by the Central Government on 04-04-2003.

[No. L-22012/35/2002-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AT HYDERABAD**

Present : Shri E. ISMAIL
Presiding Officer

Dated : 28th day of February, 2003

INDUSTRIAL DISPUTE No. 291/2002

Between :

Sri S. Thirupathi,
President, Godavari Loya Boggu Gani
Karnika Sangam (IFTU) RK-6 Huts Area,
SRP Colony, Distt. Adilabad-504303.Petitioner

AND

The General Manager,
M/s. Singareni Collieries Co. Ltd.,
Sreerampur-504303Respondent

APPEARANCES:

For the Petitioner : Nil
For the Respondent : M/s. K. Srinivasa Murthy,
C. Vijayashekar Reddy &
G. Praveen Kumar, Advocates

AWARD

The Government of India, Ministry of Labour by its order No.L-22012/35/2002-IR (CM.II) dated 3-10-2002 referred the following dispute under section 10(1) (d) of the I.D. Act, 1947 for adjudication to this Tribunal between

the management of Singareni Collieries Co. Ltd. and their workman. The reference is,

THE SCHEDULE

“Whether the action of the M/s. Singareni Collieries Co. Ltd., Sreerampur in denying the payment of wage to Sri Kamella Devaiah Pump Operator, Sreerampur Division, SRP-3 & 3 A incline for the period from 3-1-96 to 6-2-96 on the grounds of no vacancy in the transferred place of posting is legal justified or not? If not, to what relief is the worker entitled?”

The reference is numbered in this Tribunal as I.D. No. 291/2002 and noticed issue to the parties.

2. Petitioner called absent inspite of several notices and several adjournments given from 28-11-2002 for filling of claim statement and documents for 5 adjournments including 28-2-2003 the Petitioner has not turned-out with claim statement and documents. Insipite of number of adjournments the petitioner has failed to produce any evidence in support of his claim. There is nothing on record to support his claim. Therefore, the reference is ordered against the petitioner and it is held that the petitioner is not entitled for any relief.

Accordingly a ‘Nil’ Award is passed, Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 28th day of February, 2003.

E. ISMAIL, Presiding Officer

Appendix of Evidence

Witness examined for the Petitioner	Witness examined for the Respondent
NIL	NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1364.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय, एस. एस. सी. एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद (संदर्भ संख्या 290/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-04-2003 को प्राप्त हुआ था।

[सं. एल-22012/34/2002-आई. आर.(सी. II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1364.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 290

2002) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the industrial dispute between the employers in the relation to the management of SCCL and their workmen, which was received by the Central Government on 04-04-2003.

[No. L-22012/34/2002-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, HYDERABAD

PRESENT:

SHRI E. ISMAIL
Presiding Officer

Dated: 28th day of February, 2003

INDUSTRIAL DISPUTE No. 290/2002

Between:

Sri S. Thirupathi,
President, Godavari Loya Boggu Gani
Karnika Sangam (IFTU) RK-6 Huts Area,
SRP Colony, Distt. Adilabad-504303.Petitioner

AND

The General Manager,
M/s. Singareni Collieries Co.Ltd.
Sreerampur-504303 ..Respondent

APPEARANCES:

For the Petitioner : Nil
For the Respondent : M/s K.Srinivasa Murthy,
V. Umadevi, C.Vijayashakar
Reddy & G.Praveen Kumar,
Advocates

AWARD

The Government of India, Ministry of Labour by its order No.L-22012/34/2002-IR (CM.II) dated 3-10-2002 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Singareni Collieries Co. Ltd. and their workman. The reference is

SCHEDULE

"Whether the action of the M/s Singareni Collieries Co. Ltd. Sreerampur in denying to correct the list of seniority in respect of Pump Operators, viz. S/Sri K. Devaiah, T. Madhava Reddy, G. Sankaraia, Pump Operators in SRP-3 & 3A incline of Sreerampur Division is justified or not? If not, to what relief are the workmen entitled?"

The reference is numbered in this Tribunal as I.D. No. 290/2002 and notice issue to the parties.

2. Petitioner called absent in spite of several notices and several adjournments given from 28-11-2002 for filing of claim statement and document for 5 adjournments

including 28-2-2003 the Petitioner has not turendout with claim statement and document. In spite of number of adjournments the petitioner has failed to produce any evidence in support of his claim. There is nothing on record to support his claim. Therefore, the reference is ordered against the petitioner and it is held that the petitioner is not entitled for any relief.

Accordingly a 'Nil' Award is passed, Transmit.

Dictated to Kum.K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 28th day of February, 2003.

E. ISMAIL, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
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NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1365.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. एस. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद (संदर्भ संख्या.264/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-04-2003 को प्राप्त हुआ था।

[सं. एल-22012/306/2001-आई. आर. (सी. II)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1365.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref.No. 264/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in the relation management of SCCL and their workmen, which was received by the Central Government on 04-04-2003.

[No. L-22012/306/2001-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AT HYDERABAD

Present: SHRI E. ISMAIL
Presiding Officer

Dated : 28th day of February, 2003

INDUSTRIAL DISPUTE No. 264/2002

Between :

Sri N. Kistaiah,
Branch Secretary, Singareni Colliery
Workers Union (AITUC)
Godavarikhani.—505 209

...Petitioner

AND

The General Manager,
M/s. Singareni Collieries Co. Ltd.
Mandamari Division
Mandamari-504231.

...Respondent

APPEARANCES :

For the Petitioner :

Nil

For the Respondent

M/s K.Srinivasa Murthy,
V. Umadevi & C.Vijayashekar
Reddy Kumar,
Advocates

AWARD

The Government of India, Ministry of Labour by its order No.L-22012/246/2001-IR (CM.II) dated 1-8-2002 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Singareni Collieries C. Ltd. and their workman. The reference is,

SCHEDULE

"Whether the action of the General Manager M/s. Singareni Collieries Co.Ltd. Mandamari Division, Mandamari in denying the payment of suspension wages (Subsistence Allowance) for the suspension period of 10 days from 29-2-2000 in respect of Sh. Gondugu Sammaiah, Hauler Operator of KK-5 Inc., Mandamari Divn. is justified? If not, to what relief is the workman entitled?"

The reference is numbered in this Tribunal as I.D. No..264/2002 and notices issued to the parties.

2. Petitioner called absent in spite of several notices and several adjournments given from 8-10-2002 for filing of claim statement and documents for seven adjournments including 28-2-2003 the Petitioner has not turned out with claim statement and documents. In spite of number of adjournments the petitioner has failed to produce any evidence in support of his claim. There is nothing on record to support his claim. Therefore, the reference is ordered against the petitioner and it is held that the petitioner is not entitled for any relief.

Accordingly a 'Nil' Award is passed, Transmit.

11549/03-14

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 28th day of February, 2003,

* E. ISMAIL, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner Witnesses examined for the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1366.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद (संदर्भ संख्या 258/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-04-2003 को प्राप्त हुआ था।

[सं. एल-22012/246/2001-आई. आर.(सी. II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1366.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref.No 258/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in the relation to the management of SCCL and their workmen, which was received by the Central Government on 04-04-2003.

[No. L-22012/246/2001-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
HYDERABAD**

PRESENT:

SHRI E. ISMAIL
Presiding Officer

Dated : 28th day of February, 2003

INDUSTRIAL DISPUTE No. 258/2002

Between :

Sri V. Seetharamaiah,
General Secretary, S.C.
Workers Union (AITUC),
Mandamarri-504231.Petitioner

AND

The General Manager,
M/s. Singareni Collieries Co. Ltd.
Mandamarri Division,
Mandamarri-504231 ..Respondent

APPEARANCES:

For the Petitioner : Nil
For the Respondent : M/s K. Srinivasa Murthy,
V. Umadevi & C. Vijayashekar
Reddy, Advocates

AWARD

The Government of India, Ministry of Labour by its order No. L-22012/246/2001-IR (CM.II) dated 25-7-2002 referred the following dispute under section 10(1) (d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Singareni Collieries C. Ltd. and their workman. The reference is,

SCHEDULE

“Whether the action of the General Manager, M/s Singareni Collieries Co. Ltd. Mandamarri Division in dismissing the services of Sri Geesa Rayalingu, Filler, KK-5A Incline of Mandamarri Division of M/s S.C. Co. Ltd., is justified or not? If not, to what relief the workman entitled?”

The referance is numbered in this Tribunal as I.D. No. 258/2002 and notices issued to the parties.

2. Petitioner called absent inspite of several notices and several adjournments given from 18-10-2002 for filling of claim statement and documents for 7 adjournments including 28-2-2003 the Petitioner has not turned-out with claim statement and document. Inspite of number of adjournments the petitioner has failed to produce any evidence in support of his claim. There is nothing on record to support his claim. Therefore, the reference is ordered against the petitioner and it is held that the petitioner is not entitled for any relief.

Accordingly a 'Nil' Award is passed, Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 28th day of February, 2003.

E. ISMAIL, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
NIL	NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1367.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय, एस. एस. सी. एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद (संदर्भ संख्या 293/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-04-2003 को प्राप्त हुआ था।

[सं. एल-22012/37/2002-आई. आर.(सी. II)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1367.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref.No. 293/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the industrial dispute between the employees in the relation management of SCCL and their workmen, which was received by the Central Government on 04-04-2003.

[No. L-22012/37/2002-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT:

SHRI E. ISMAIL
Presiding Officer

Dated : 28th day of February, 2003

INDUSTRIAL DISPUTE No. 293/2002

Between :

Sri N. Kistaiah,
Branch Secretary, Singareni Colliery
Workers Union (AITUC)
Qtr. No. C-27,
1st Zone, Mandamarri-504 231Petitioner

AND

The General Manager,
M/s Singareni Collieries Co. Ltd.
Mandamarri Division,
Mandamarri-504231 ..Respondent

● **APPEARANCES:**

For the Petitioner : Nil
 For the Respondent : M/s K. Srinivasa Murthy,
 V. Umadevi & C. Vijayashekar
 Reddy & G. Praveen Kumar,
 Advocates

AWARD

The Government of India, Ministry of Labour by its order No. L-22012/37/2002-IR (CM.II) dated 3-10-2002 referred the following dispute under section 10(1) (d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Singareni Collieries Co. Ltd. and thier workman. The reference is,

SCHEDULE

“Whether the action of the M/s Singareni Collieries Co. Ltd., Mandamarri in dismissing Sri Ammula Mallaiah, Ex-coal Filler, SMG-3 Incline, Mandamarri Division from service w.e.f. 6-7-1999 is justified? If not, to what relief is the workman entitled?”

The reference is numbered in this Tribunal as I.D. No. 293/2002 and notices issued to the parties.

2. Petitioner called absent inspite of several notices and several adjournments given from 28-11-2002 for filling of claim statement and document for 5 adjournments including 28-2-2003 the Petitioner has not turned-out with claim statement and documents. In spite of number of adjournments the petitioner has failed to produce any evidence in support of his claim. There is nothing on record to support his claim. Therefore, the reference is ordered against the petitioner and it is held that the petitioner is not entitled for any relief.

Accordingly a 'Nil' Award is passed, Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 28th day of February, 2003.

E. ISMAIL, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
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NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 7 अप्रैल, 2003

का. आ. 1368.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सदन रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-कम-लेबर कोर्ट, चेन्नई के पंचाट (संदर्भ संख्या आई डी. नं. 19/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-04-2003 को प्राप्त हुआ था।

[सं. एल-41011/28/1995-आई. ओर. (बी. I)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 7th April, 2003

S.O. 1368.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I.D. No 19/2003) of the Central Government Industrial Tribunal/Labour Court, Chennai now as shown in the Annexure in the industrial dispute between the employers in the relation to management of Southern Railway and their workmen, which was received by the Central Government on 04-04-2003.

[No. L-41011/28/1995-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
 INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
 CHENNAI**

Tuesday, the 1st April, 2003

PRESENT:

K. KARTHIKEYAN,
 Presiding Officer

INDUSTRIAL DISPUTE No. 19/2003

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workmen and the Management of Southern Railway, Madras.

Between :

S/Shri R. Palani & Others, ... I Party/Claimant
 C/o. General Secretary,
 Southern Railway Casual Labour
 Union, Kochi.

AND

The Senior Divisional ... II Party/Management
 Personnel Officer,
 Southern Railway,
 Madras.

APPEARANCES:

For the Claimant : Unrepresented
 For the Management : Sri G. Kalayansundaram,
 CGSC

The Government of India, Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947), have referred the concerned industrial dispute for adjudication vide Order No. L-41011/28/1995/IR(B-1) dated 03-12-2002.

On receipt of the order of reference from the Government of India, Ministry of Labour, this case has been taken on file as I.D. No. 19/2003 and notices were sent to the parties to the dispute by registered post, with a direction to appear before this Tribunal on 17-01-2003 to file their respective Claim Statement and Counter Statement and to prosecute this case further. In spite of notice sent by Registered Post and duly served on the I Party/Claimant Union, the date on which the hearing was fixed as no one appeared before this Tribunal for the I Party/Claimant, the case was adjourned to the next two hearing dates for filing Claim Statement of the I Party/Claimant. Though the order of reference cited above, sent by the Ministry of Labour directly to the I Party to the given address, they have not chosen to appear before this Tribunal within fifteen days of receipt of that reference and to file the Claim Statement. The counsel who entered appearance for the II Party/Management had filed his statement of objection to the dispute raised by the I Party/Claimant with a copy of the Counter Statement filed by the Respondent/Management earlier before the conciliating authority and also the xerox copy of the judgement of Hon'ble Central Administrative Tribunal in O.A. Nos. 835 to 845 of 1992. The learned counsel for the II Party/Management has advanced his arguments. On hearing the arguments of the learned counsel orders has been reserved to decide the dispute, on merits, on the available materials and records.

Upon perusing the order of reference, statement of objection filed by the II Party/Management the other material paper on record, after hearing the arguments advanced by the learned counsel for the II Party/Management also and this matter having stood over till this date for consideration, this Tribunal has passed on merits, the following:—

AWARD

The Industrial Dispute referred to in the above mentioned order of reference by the Central Govt. for adjudication by this Tribunal is as follows:—

“Whether the termination of S/Shri R. Palani, A.R. Anandan, S. Selvam, C. Muthu, M. Vijayan, G. Ganesan, S. Kasinathan, G. Kuppusamy, S.R. Palani, Devaraj and A. Ravikumar, Ex-Goods Shed Porters, Jolarpet who were in continuous employment for 17 years by the management of Southern Railway,

Madras with effect from 24-4-94 in violation of Section 25F of I.D. Act, 1947 is just, proper and legal? If not to what relief are the workmen entitled to?”

2. As it is seen from the records, the I Party/Claimant union has raised this dispute on behalf of the concerned workmen. Earlier they have approached the Labour Court by way of claim petitions in the year 1986 and 1988 under section 33(c)(2) of the Industrial Disputes Act, 1947 seeking monetary benefits to the tune of Rs. 20,000/- each on the ground that they have worked as Casual Labourers continuously for 120 days and had acquired a temporary status and are entitled to wages at the scale of Rs. 196-232 p.m. The Railway administration refuted that claim and contended that they were not the workmen in Railways and there is no relationship between the railways and the Petitioners as that of employer and employee and that they were only piece rate labourers engaged whenever there was work and for that they were suitably remunerated. After considering the contentions of either parties, the Hon'ble Labour Court has dismissed their claims by order dated 26-5-89. Further, these Petitioners has moved the Central Administrative Tribunal Madras by filing Original Petitions No. 835 to 845/92 seeking direction to the Railway Administration to grant them temporary status and regularise their services from the date they have completed 120 days of continuous service. In that O.S. the Respondent Railway Administration filed a Counter Statement stating that they are not Casual Labourers engaged by the Railway administration and that the Central Administrative Tribunal has observed in the order passed that these Petitioners are only piece rate labourers and not casual Labourers as claimed. Then subsequently, they have raised a dispute before the Labour Commissioner (Central) claiming that their termination from service by the management of Southern Railway, Madras w.e.f. 24-4-1994 is in violation of Section 25F of the Industrial Disputes Act, 1947 as unjust, improper and illegal and consequently prayed for a direction for reinstatement in service by the Respondent/Management. That has been ended in a failure. As the Central Govt. has not referred the matter for adjudication to the Tribunal, the Petitioners have preferred a Writ Petition before the Hon'ble High Court of Madras and got a direction to the Central Govt. to refer this dispute under Section 10 of the Industrial Disputes Act, 1947 to the Tribunal for adjudication. Accordingly, this dispute has been referred to this Tribunal for adjudication.

3. In the absence of Claim Statement filed by the Union representing the concerned workmen or by the concerned workmen themselves, the Respondent Southern Railway management has filed their statement of objection. The averments in that statement of Respondent are briefly as follows:—

The Petitioners are not railway employees. They are only piece rate labourers engaged whenever there is work and were suitably remunerated. Since they are

not railway employees, the provisions of the Industrial Disputes Act are not applicable. The Petitioners have already filed an application before the Central Administrative Tribunal, Chennai as O.A. Nos. 835 to 845/92 for a direction to the Respondent to grant temporary status and regularisation of service. Those original applications have been dismissed by the Hon'ble Central Administrative Tribunal, Chennai by an order dated 18-7-1994. Since one such order has been passed by the Hon'ble Central Administrative Tribunal, the Petitioners cannot make any claim again, and again for the same cause of action in different forums. They have not been appointed as Casual Labourers in Railways. They are not entitled for any compensation under section 25F of the Industrial Disputes Act. Hence, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the industrial dispute raised by the concerned workmen.

4. When the matter was taken up for enquiry, as usual, the I Party/Workmen and the Union which represent them remained absent. In support of the dispute they have raised against the Respondent Southern Railway, no statement of claim has been filed by the Petitioners/Workman or by the Union who has taken up their cause. No evidence either oral or documentary has been produced before this Tribunal by the Petitioners to prove their claim which they have raised as an industrial dispute. On the other hand, the Respondent Southern Railway management has filed their statement of objection stating that the similar claim of the Petitioner which has been raised before the Central Administrative Tribunal, Chennai by them by way of original applications have been dismissed by the Hon'ble Central Administrative Tribunal on 18-7-94 and hence, the Petitioners cannot come forward for the same relief as a claim in their industrial dispute for adjudication before this Tribunal. In support of that contention, the Respondent has filed the xerox copy of the common order passed by the Hon'ble Central Administrative Tribunal, Madras Bench on 18-7-94. In that order, the Hon'ble Central Administrative Tribunal has observed that the Petitioners were engaged only on piece rate basis by the Southern Railway management and they have not worked as daily rated casual workers on any project and the Petitioners have not established their case that they are project Casual Labourers who are entitled to be covered by the scheme drawn up in pursuance of the orders of the Hon'ble Supreme Court and they have not fallen in the same category as Casual Labourers engaged in Trichy division. It is further observed in that order by the Hon'ble Central Administrative Tribunal that these persons were engaged occasionally depending on reporting of wagons sick and they were not engaged continuously under the detailed supervision of railways. So from this it is seen that this issue has already been dealt with by another forum and a decision has been given by

an order passed by that forum. As contended by the learned counsel for the Respondent/Management, that the Petitioners having failed to get the relief from the Central Administrative Tribunal, Chennai, have once again come forward before this forum by way of raising an industrial dispute and hence, the Petitioners are not entitled for any relief, as they have prayed for in this dispute. In the reference itself it is stated that the concerned workmen were in continuous employment for 17 years by the management of Southern Railway, Madras and their termination of service by the Respondent/Management from 24-4-94 is in violation of Section 25F of the Industrial Disputes Act, 1947. In support of the contention that the said action of the II Party/Management Southern Railway is unjust, improper and illegal, neither these workmen nor the Union which is raising this dispute on their behalf has not come forward before this Tribunal to prosecute this case. On the other hand, from the plea and the evidence let in by the Respondent Southern Railway management and from the xerox copy of the order passed by Hon'ble Central Administrative Tribunal, Chennai, in O.A. Nos. 835 to 845/1992 filed by these Petitioners earlier, it is seen that the Petitioners are not the employees of Southern Railway and there is no employer and employee relationship between them and they have been engaged as a piece rate labourers whenever there is work and for the same they were paid wages suitably. Under such circumstances, in the absence of acceptable proof on the side of the Petitioner that they were employed continuously for a period of 120 days by the Southern Railway administration, they cannot claim the relief of granting them temporary status and regularisation of their service by the Respondent/Management. So on the basis of the available materials, it is seen that there is no question of termination of services of these Petitioners by the Southern Railway management, Madras w.e.f. 24-4-94 in violation of section 25F of Industrial Disputes Act. So, the concerned workmen are not entitled for any relief. The point is answered accordingly.

5. In the result, an Award is passed on merits, holding that the II Party/management of Southern Railway has not acted illegally in respect of the concerned workmen in violation of Section 25F of Industrial Disputes Act, 1947 and the concerned workmen are not entitled for any relief. No Cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 1st April, 2003.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :

On either side : None

Documents Exhibited :

On either side : Nil

नई दिल्ली, 9 अप्रैल, 2003

का. आ. 1369.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ पटियाला के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-कम-लेबर कोर्ट, चंडीगढ़ के पंचाट (संदर्भ संख्या केस नं. 54/92 को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-04-2003 को प्राप्त हुआ था।

[सं. एल-12012/25/92-आई. आर. (बी. 1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th April, 2003

S.O. 1369.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Case No. 54/92) of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Patiala and their workman, which was received by the Central Government on 09-04-2003.

[No. L-12012/25/92-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Presiding Officer: SHRI S. M. GOEL

Case No. 54/92

General Secretary State Bank of Patiala Staff Union, 3135 Sector-22-D, Chandigarh. Applicant

Versus

General Manager, State Bank of Patiala,
The Mall PatialaRespondent

APPEARANCES:

For the Workman : Shri Gurdeep Singh

For the Management : Shri N.K. Zakhmi

AWARD

(Passed on 31-3-2003)

The Central Govt. vide notification No. L-12012/25/92-IR(B-3) dated 1st of June, 1992 has referred the following dispute to this Tribunal for adjudication :

"1. Whether the action of the management of State Bank of Patiala in dismissing the services of Shri R.S. Bagga, Cashier, w.e.f. 27-02-91 is justified? If not, to what relief the workman is entitled to?"

2. Whether the action of the management of State Bank of Patiala in not paying subsistence allowance to Shri R.S. Bagga for suspension period is justified? If not, to what relief the workman is entitled to?"

2. In the claim statement it is pleaded by the workman that he got a loan for the constructions of house and submitted a sale deed as equitable mortgage. The construction of the house was not completed and it was creating problems like sewerage and on account of flow or rain water entered into the house, he sought the branch manager, Model Town Branch for grant of necessary permission for the sale of this house. The permission was duly recommended by the Branch Manager on the same day but even after a year no reply was received from the Head Office, to save his family from the diseases the workman had to sell half portion of the house for a consideration of Rs. 1,45,000 and Rs. 15,000 from this amount was deposited by the workman in the loan account. The bank issued a charge sheet on a false and frivolous complaint that the workman had stolen the title deed of the house and then sold the house but the sale deed was in the safe custody of the branch manager and the workman did not have any access to the sale deed and the question of stealing the sale deed did not arise and the charge of the bank is totally false and it is never admitted by the workman before the enquiry officer that he had stolen the title deed from the custody of the branch manager. It is further submitted that the workman was not given an opportunity of defence. The workman only admitted before the enquiry officer that half portion of the house was sold and the proceeds thereof were reinvested on the same house for its reconstruction and renovation. It is also submitted that the enquiry is also bad as no subsistence allowance was paid during the enquiry proceedings. Thus the workman has prayed that the enquiry be vitiated and the workman be reinstated in service with full backwages and other benefits.

3. In the written statement the management has stated that workman raised a loan of Rs. 1,10,000/- from the State Bank of Patiala for construction of a house and deposited with the branch original title deed for creating an equitable mortgage of the plot as collateral security. The workman disposed of half portion of his house and thus the workman committed a gross misconduct. The workman was issued a charge sheet and reply was submitted by the workman saying that he had to sell the half portion of his house due to his family circumstances. The enquiry officer was appointed and during the enquiry the workman voluntarily and unconditionally admitted the

charge containing in the charge sheet dated 12-5-1990 and in view of the admission, the enquiry officer concluded the enquiry and submitted the report to the management and the disciplinary authority after considering the reply of show cause notice, the penalty of dismissal from service was awarded and the action of the management in dismissing the service of the workman is legal and just and the workman is not entitled to any relief in this reference. It is also submitted that subsistence allowance of the workman was adjusted towards his loan account.

4. In evidence, the workman filed his affidavit Ex. W1 and he was also cross-examined by the management. The management in rebuttal produced the affidavit Ex. M1 of R.S. Sethi who has also tendered documents Ex. M2 to M20 consisting the entire enquiry proceedings.

5. I have heard the learned counsel for the parties and have gone through the entire evidence and record consisting of enquiry proceedings.

6. Before proceedings with the findings I will like to state the change which R.S. Bagga workman has faced in the departmental proceedings which is as follows :

"That during the year 1987 you raised a demand loan of Rs. 10,000/- through our Patiala (GDNS) branch for construction of a house and deposited with the branch original title deed of plot No. 41, Green Lehal Colony, Patiala for creating an equitable mortgage of the said plot as collateral security. After the transfer of the loan from the branch of Sector 22-D, Chandigarh to the respondent Bank to Patiala (Model Town) branch, the aforesaid title deed was collected on 4-7-1989 from Patiala (GDNS) branch through Sh. A.S. Kapoor, Head Clerk, who handed over the same to Shri V.P. Malhotra, the Branch Manager, and Shri Malhotra kept the same in his drawer for the time being. But the workman surreptitiously removed the title deed from the table drawer of Shri Malhotra and disposed of half portion of his house, constructed after raising demand loan of Rs. 1,10,000/- under bank's housing scheme on 6-10-1989 to one Sh. Paramjit Singh Bhuller and Smt. Tarwinder Kaur without obtaining any permission of the Bank to do so as required in terms of para IV(f) and XII of the sanction letter No. ZMP/1602 dated 3-4-87. The workman thus did acts prejudicial to the interests of the Bank, which tantamount to gross misconduct in terms of Clause 19.5(d) of the Bipartite Settlement 1966."

7. Thus in the enquiry it has to be considered as to whether the workman surreptitiously removed the sale deed against which he had raised a loan of Rs. 1,10,000/- from the bank and again sold the property to Shri Paramjit Singh Bhuller and Smt. Tarwinder Kaur on 6-10-1989 and thus causing a loss to the bank and thus defrauded the bank.

8. The departmental enquiry was conducted by

Shri R.S. Sethi, The bank's presenting officer was Shri P.K. Bansal. When the enquiry started, the workman was asked by the Enquiry Officer as to whether he admit or deny the charges. In reply, the workman stated that he was unable to give any reply with regard to the charges in the absence of the representative of the workman upon where the enquiry officer told the workman that the charge sheet was served upon him and he was to admit or deny the charges and the representative is only to defend him whereupon the workman again requested the enquiry officer that he be given a chance to nominate the representative and then alone he will admit or deny the charges and thus the proceedings were adjourned to 10-9-1990. On 10-9-1990, the workman stated that he wanted to nominate Shri B.L. Sharma, General Secretary State Bank of Patiala Staff Union (Punjab) Regd. (Since retired from the service of the bank) to represent him in the enquiry whereupon the Bank's presenting officer produced a certificate dated 31-8-1990 from Manager Model Town Patiala Branch stating that the workman had remitted his subscription from his salary in the month of July 1990 to State Bank of Patiala Employees Union Regd. and Recognised and no request from Shri Bagga for change of his Union has been received by Manager, Model Town Patiala Branch till date and thus the workman was denied his representation by Shri B.L. Sharma by the enquiry officer in terms of clause 19:12 of the Bipartite Settlement 1966 as the workman was a member of the Union other than the one to whom Shri B.L. Sharma represented. Thereupon Shri Bagga requested the enquiry officer that he be allowed to be defended by a lawyer. He was also denied the assistance of a lawyer on the plea that there is no provision and as such he may seek permission from the disciplinary authority. The learned counsel for the workman has drawn my attention to clause 19 : 12 of the Bipartite Settlement which reads as follows :

"19:12 : The procedure in such cases shall be as follows :

(y) Where the employee is not a member of any trade union of bank employees on the aforesaid date, by a representative of a registered trade Union of employees of the bank in which he is employed";

9. The learned counsel for the workman has argued that 19:12(y) the worst possible is that the employee is not the member of any trade union even than he may be defended by a representative of registered trade union of the employees of the bank in which he was employed. The learned counsel has further argued that admittedly B.L. Sharma was General Secretary of the State Bank of Patiala Staff Union (Pb.) Regd. (since retired from the service of the bank) and therefore, his services should not have been denied by the enquiry officer if the workman had prayed for, he has argued that the workman could not defend himself properly during the enquiry proceedings therefore, they are faulty one.

10. In my opinion, this argument of the learned counsel for the workman may not weigh much because this clause apply only when 19:12 (x) is not applicable. Clause 19:12 (x) of the B.P. Settlement states that an employee may be represented by a representative of a registered trade Union of bank employees of which he is a member, Clause (y) apply where he is not a member of any trade Union. Here in this case Shri R.S. Bagga was subscribing to State Bank of Patiala Employees Union Regd. and recognised. Shri B.L. Sharma was not the General Secretary of this union, therefore, the enquiry officer committed no error in denying the representation by Shri B.L. Sharma.

11. Secondly, it has been argued by the learned counsel for the workman that there is no evidence on record that Shri R.S. Bagga surreptitiously removed the documents from the drawer of the bank authority. In the charge sheet it has not been stated as to on what date and time, this removal was committed and nor in the enquiry any witness worth the name has been produced to substantiate this allegation. He has argued that only on the basis of a so called confession by the workman, the workman has been punished. The learned counsel for the bank has argued on the other hand that the confession was made by the workman voluntarily and without any pressure and, therefore, the charges against the workman were proved.

12. I have considered these arguments of the learned counsels for the parties. There is no narration in the charges as to on which date and time the removal of the sale deed took place. There was also no report of such incident then and there by any such authorities from whose drawer the alleged removal took place and nor it was proved by any witness during the enquiry proceedings. Therefore, just to hold guilty the workman only on the basis of his confession in such a serious matter without any report and without any date and time can not be taken to be proof of alleged occurrence. It has also been pointed out to me during the arguments by the learned counsel for the workman that when the alleged removal of the sale deed took place the workman was employed at another branch. At the time of the said removal, the workman was employed at State Bank of Patiala Model Town Branch Patiala while the sale deed was surreptitiously removed from the drawer of the Branch Manager (GDNS) branch. In my considered opinion, there should have been some independent evidence to bring home the charges against the workman and only on the basis of his confession, the charges should not have been found to be proved.

13. It has also been argued by the learned counsel for the workman that the appellate authority did not give the workman personal hearing before passing the order. He has drawn my attention to the orders of the appellate authority. On the other hand the learned counsel for the bank has argued that the disciplinary authority had given

a personal hearing to the workman. The workman had also confessed to the charges. Therefore, if the appellate authority had not given the personal hearing to the workman, no prejudice was caused to him. The learned counsel for the workman has relied on the authorities reported in 1986(2) SLR 608, of the Hon'ble Supreme Court and 1994(1) SLR page 131 and 1992(1) SLR 250 of the Punjab and Haryana High Court. Contrary to the aforesaid case laws, the learned counsel for the management has not submitted any case law.

14. I have gone through the case laws relied upon by the counsel for the workman. The Hon'ble Supreme Court in *Ram Chander Vs. Union of India* and other had laid down in paras 5, 9 and 24 of this judgment that appellate authority is under an obligation to record reasons for his decision, fair play as justice also requires the personal hearing before passing the order. Mechanical reproduction of phraseology is not sufficient. In my opinion natural justice has also not been done to the workman in the present case as the workman was not given the personal hearing by the appellate authority and on this account also the departmental enquiry is liable to be vitiated.

15. Last of all, the learned counsel for the workman has argued that the workman could not defend himself because he was not paid the subsistence allowance. The learned counsel for the workman had relied on the following case laws :

1. 2003(1) L.L.J. page 495 *State of Punjab and Others and K. K. Sharma*.
2. AIR 1999 Supreme Court 1416 *Capt. M. Paul Vs. Bharat Gold Mines Ltd. and Another*.
3. *Jagdamba Parshad Shukla Vs. State of U.P.*

16. In reply the learned counsel for the bank has not submitted any case law, instead he has drawn my attention to the bank papers which relates to the March 1990 to February 1991. In these documents it appears that amount was paid to Shri R. S. Bagga through account but was adjusted towards his provident fund, festival loan, consumer loan, flow loan, house loan and other loans and thus he was either not paid any single penny or was paid very meagre amount. The respondent bank in its written statement in para 16 has also admitted that the subsistence allowance of the workman was adjusted towards his loan account.

17. In my considered opinion, the subsistence allowance should not have been adjusted towards loan etc. subsistence allowance is paid for the survival of the defaulting employees. By adjusting the subsistence allowance towards the loans monthwise, the bank has thus deprived the workman not only his survival but also the facts that he could not defend himself in the absence of

any payment of the subsistence allowance. The Hon'ble Supreme Court had held in AIR 1999 page 1416 mentioned above, that non-payment of subsistence allowance during the suspension period is violative of Fundamental Right to life which also caused the employee who is unable to undertake journey to attend departmental proceedings and thus the Hon'ble Supreme Court decided to vitiate the departmental proceedings.

18. I am also of the opinion that the valuable right of the workman to defend himself during the enquiry was impaired because of the fact that the workman was not paid the subsistence allowance.

19. It is also pertinent to mention here that the bank has also not demanded to prove the charges in this Court either in the written statement or even during the course of arguments.

20. In view of my aforesaid discussion, I thus hold that the departmental proceedings are vitiated as they infringe the principle of natural justice. Resultantly the order of dismissal is set aside. The workman is thus ordered to be reinstated in service with full backwages and other consequential benefits including seniority etc. The reference is answered accordingly. Appropriate Authority be informed.

Chandigarh.

S. M. GOEL, Presiding Officer

31-3-2003

नई दिल्ली, 9 अप्रैल, 2003

का. अ. 1370.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हिस्सर सिरसा क्षेत्रीय ग्रामीण बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-कम-लेबर कोर्ट, चंडीगढ़ के पंचाट (संदर्भ संख्या केस नं. आई. डी. 133/92) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-4-2003 को प्राप्त हुआ था।

[सं. एल-12012/161/92-आई. आर.(बी. I)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 9th April, 2003

S.O. 1370.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Case No. ID 133/92) of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh now as shown in the Annexure, in the industrial dispute between the employers in relations of the management of Hissar Sirsa Kshetriya Gramin Bank and their workman, which was received by the Central Government on 8-4-2003.

[No. L-12012/161/92-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

PRESIDING OFFICER: SHRI S. M. GOEL

CASE NO. ID 133/92

Ms. Balwinder Devi, Village Suchan

Kothi Distt. Sirsa-125055

—Applicant

Vs.

Chairman Hissar Sirsa Kshetriya

Gramin Bank Head Office Dabra

Chowk, Hissar-1250055.

—Respondent

REPRESENTATIVES:

For the Workman : Shri R. K. Singh

For the Management : Shri Satya Narayan Sharma

AWARD

(Passed on 24-3-2003)

The Central Govt. Ministry of Labour vide Notification No. L-12012/161/92-I.R. (B. 3) dated 23rd November, 1992 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Hissar Sirsa Kshetriya Gramin Bank, in terminating the services of Miss Balwinder Devi w.e.f. 8-2-1991 was justified? If not, to what relief the workman is entitled to and from what date?"

2. The brief facts of the case according to the applicant are that she was employed by the Management as junior clerk-cum-cashier w.e.f. 9-7-1988 and she was relieved for training at Lucknow on 1-1-1989 and after completion of the training she joined the bank on 19-9-1988. It is pleaded that the Branch Manager borrowed Rs. 500/- from the workman and again on 15-4-1989 Rs. 700/- which is contrary to the rules of the bank. On her refusal he issued a show cause notice dated 30-6-89. It is further pleaded that Branch Manager had been compelling the applicant to come before the office time due to personal grudge and was sent to Sirsa for depositing cash in Punjab National Bank which is clear case of victimisation. The respondent branch manager prepared a letter dated 8-7-89 and the same was delivered to the applicant on 9-7-89 as her residents extending the probation period after one year. It is pleaded that branch manager was not competent to extend the probation period. The applicant was relieved from duty without any jurisdiction on 7-8-89 by the branch manager and a cheque for twenty thousand was issue which the applicant refused. It is further pleaded that action of the management relieving her on 7-8-89 is clearly violation

of Section 25F of the I.D. Act. As rules have not been complied by the management. It is further pleaded that in reply to her notice through A.L.C. Rohtak termination order dated 8-2-91 was sent to the applicant which is void and arbitrary. It is prayed that applicant be reinstated in service w.e.f. 8-8-89 with back wages and continuity of service.

3. In written statement the management denied all the averments made in the claim statement and stated that posting is made as per the workload and urgent need basis. The applicant had also executed service agreement dated 16-7-88. The applicant violated the rules and regulations of the bank for which she was served with a charge sheet dated 17-11-89 by the Disciplinary Authority containing specific charges and proper departmental enquiry was conducted within the frame work of model rules framed for the employees of the bank. Full opportunity was given to the applicant to defend herself. Proper show cause notice was served on 18-7-90 before awarding punishment and penalty was imposed vide letter dated 8-2-91 and the punishment was also confirmed by the board of the bank. The extension in the probation period of the applicant was done keeping in view her performance and it is pleaded that the action of the management is fully legal and justified.

4. Arguments have been heard on the fairness of the enquiry. The management placed on record the complete enquiry file which I have thoroughly gone through with the assistance of the learned representatives of the parties. It is very much mentioned in the enquiry proceedings that applicant Balwinder Devi has not participated in the enquiry despite many opportunities and notices given to her and the enquiry officer had to proceed with the enquiry in the absence of the applicant. She did not care to attend the enquiry proceedings despite intimations. It is argued by the learned representatives of the management that there was no option left with the enquiry officer to conduct the enquiry ex parte against the applicant as she was not willing to participate in the enquiry. The witnesses of the management have been examined in absence of the applicant. I find no infirmity in the conduction of enquiry proceedings against the applicant as it is the applicant who chose not to attend the enquiry proceedings of her own. No fault can be found on the part of the management to proceed with the punishment. The arguments advanced by the learned representative of the workman that probation period was extended after one year. This is not the dispute in this reference as services of the applicant have been terminated after holding detailed departmental enquiry. The learned representative of the workman has prayed for intervention of this Tribunal under Section 11-A of the ID Act in the matter of punishment on the plea that the punishment of dismissal from service is disproportionate to the gravity of misconduct on the part of the applicant. The applicant was still on probation at the time of her termination, and the punishment was imposed upon her as she refused to obey the orders of the Branch Manager and

also other minor charges like absenting from duty on various dates unauthorisedly and other minor misconduct. The conduct of the applicant was not upto the mark, even during her probation period. Thus in my considered opinion, Section 11-A can not be made applicable in such like cases. Therefore, the applicant is not entitled to any relief in the present reference. The reference is answered against the applicant, and returned to the appropriate authority for information.

Chandigarh.

S. M. GOEL, Presiding Officer

24-3-2003

नई दिल्ली, 10 अप्रैल, 2003

आ. 1371.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार साऊथ सेंट्रल रेलवे के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलूर के पंचाट (संदर्भ संख्या सी.आर. नं. 106/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-4-2003 को प्राप्त हुआ था।

[सं. एल-41012/157/99-आई. आर. (बी.-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 10th April, 2003

S.O. 1371.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (C.R. No. 106/1999) of the Central Government Industrial Tribunal/Labour Court, Bangalore now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of South Central Railway and their workman, which was received by the Central Government on 10-04-2003.

[No. L-41012/157/99-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT

“SHRAM SADAN”

III MAIN, III CROSS, II PHASE, TUMKUR ROAD,
YESHWANTHPUR, BANGALORE

Dated, the 3rd April 2003

PRESENT:

HON'BLE SHRI V. N. KULKARNI, B.Com, LLB,

PRESIDING OFFICER

CGIT-CUM-LABOUR COURT

BANGALORE.

C.R. NO. 106/1999

(7) 31st May 1988 to 1-6-1988
(2 days)**I PARTY**

Shri R. Srinivasan,
Ex-Chalasi,
South Central Railway
C/o, Shri M.S. Ananaramu,
Advocate, No. 11, 1st Floor,
4th Cross, R. K. Puram,
SC Road Cross,

Opp. to Movieland Theatre,
BANGALORE—560 009

II PARTY

The Divisional
Railway Manager
South Central
Railway, HUBLI

AWARD

1. The Central Government by exercising the powers conferred by clause(d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-41012/157/99-IR(B.1) dated 5th October 1999 for adjudication on the following schedule :—

THE SCHEDULE

“Whether the action of the management of South Central Railway in removing Shri R. Srinivasan, Khalasi, from service w.e.f. 30-10-89 is legal and justified. If not, to what relief the workman is entitled?”

2. The first party was working with the Second Party management as Khalasi. He was removed from service w.e.f. 30th October 1989 and therefore, Industrial Dispute is raised.

3. Parties appeared and filed Claim Statement and Counter respectively.

4. The case of the first party in brief is as follows.

5. Charge sheet was given to the workman saying that he was unauthorisedly absent from duty as under :

- (1) 8th October 1987 to 11th October 1987
(3 days)
- (2) 15th October 1987 to 31st October 1987
(15 days)
- (3) 8th November 1987 to 20th November 1987
(19 days)
- (4) 25th November 1987 to 30th November 1987
(5 days)
- (5) 6th December 1987 to 31st January 1988
(37 days)
- (6) 27th April 1988 to 10th May 1988
(14 days)

6. The first party workman gave detailed reply and denied all the allegations. Enquiry was initiated and the enquiry is not fair and proper. Departmental proceedings are not correctly held and the action of the management is not correct. The punishment imposed is harsh. Workman for these reasons and for some other reasons has prayed to pass award in his favour.

7. Against this the case of the Management in brief is as under.

8. It is the case of the Management that the first party workman was basent for a period of 125 days unauthorisedly from April 1985 to 1986 and the management took lenient view and reinstated him in service with effect from 15-8-1987. During 1987 he again remained unauthorisedly absent for a period of 126 days and again for the period from October 1987 to May 1988. Details are given in the Counter. Enquiry is fair and proper and the action of the management is correct. All the allegations made by the workman are not correct. Management for these reasons and for some other reasons has prayed to reject the reference.

9. It is seen from the record that the management examined MW1. He has given evidence saying that he has conducted enquiry. He has stated that he read over the charge sheet to the workman and the admitted that he has understand the same. He has also admitted that he was absent.

10. Workman got examined himself.

11. It is seen from the records that this Tribunal by its order dated 12th December 2002 has answered Preliminary Issue holding that the Domestic Enquiry is not Fair and Proper. The main contention of the workman is that he was not keeping good health and he applied leave on medical ground with medical certificate but the management has not considered the same and initiated enquiry. In order to appreciate the contention of the workman let us see what is the evidence adduced by the management.

12. In the instant case this tribunal has held that the enquiry is not fair and proper. In view of this there is heavy burden on the management to rebut the contentions put forth by the workman but unfortunately the management has not examined any witnesses after giving findings on Preliminary Issue.

13. Considering all this I am of the opinion that in the given circumstances the punishment of dismissal is too harsh. This is a fit case to invoke the provisions of Section 11A of the ID Act. Accordingly I proceed to pass the following Order :

ORDER

The reference is partly allowed and the management is directed to reinstate the workman to his original post, which he was holding on the date of his removal from service. No other benefits are awarded.

(Dictated to PA transcribed by her corrected and signed by me on 3rd April 2003).

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 10 अप्रैल, 2003

का. आ. 1372.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेलिंगटन कैन्टोन्मेन्ट बोर्ड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 171/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-4-2003 को प्राप्त हुआ था।

[सं. एल-13012/2/99-आई. आर. (डी.यू.)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 10th April, 2003

S.O. 1372.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 171/2001) of the Central Government Industrial Tribunal/Labour Court, Chennai now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Wellington Cantonment Board and their workman, which was received by the Central Government on 10-04-2003.

[No. L-13012/2/99-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM-LABOUR COURT, CHENNAI**

Friday, the 4th April 2003

PRESENT : K. KARTHIKEYAN, Presiding Officer

INDUSTRIAL DISPUTE NO. 171/2001

(Tamil Nadu State Industrial Tribunal I.D.No. 169/99)

[In the matter of the dispute for adjudication under clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Sri V. Mayavan and the Executive Officer, Wellington Cantonment Board.]

BETWEEN

Sri V. Mayavan : I Party/Workman

AND

The Executive Officer, : II Party/Management
Wellington Cantonment
Board Nilgiris.

APPEARANCE :

For the Workman : Sri T. Ramkumar and
P. Chandrasekaran,
Advocates

For the Management : M/s. King & Partridge
Advocates.

The Govt. of India, Ministry of Labour in exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947), have referred the concerned dispute for adjudication vide Order No. L-13012/2/99/IR(DU) dated 11-08-99.

This reference has been made earlier to the Tamil Nadu State Industrial Tribunal, Chennai, where the same was taken on file as I.D. No. 169/99. When the matter was pending enquiry in that Tribunal, Government of India, Ministry of Labour was pleased to order transfer of this case also from the file of Tamil Nadu State Industrial Tribunal to this Tribunal for adjudication. On receipt of records from that Tamil Nadu State Industrial Tribunal, this case has been taken on file as I.D. No. 171/2001 and notices were sent to the counsel on record on either side, informing them about the transfer of this case to this Tribunal, with a direction to appear before this Tribunal on 05-02-2001 with their respective parties and to prosecute this case further. Accordingly, the learned counsel on either side along with their respective parties have appeared and prosecuted this case further. The Claim Statement and Counter Statement of the respective parties were filed earlier before the Tamil Nadu State Industrial Tribunal, when the matter was pending before that Tribunal for adjudication.

Upon perusing the Counter Statement, claim Statement, the other material papers on record, after hearing the learned counsel for the II Party/Management alone and this matter having stood over till this date for consideration, this Tribunal has passed on merits, the following :—

AWARD

The Industrial Dispute referred to in the above order of reference by the Central Govt. for adjudication by this Tribunal is as follows :—

“Whether the action of the management of M/s. Wellington Cantonment Board, Nilgiris in terminating the services of Shri V. Mayavan is legal and justified? If not, to what relief the workman is entitled?”

2. The averments in the Claim Statement filed by the I Party/Workman Sri V. Mayavan (hereinafter refers to as Petitioner) are briefly as follows :—

The Petitioner joined the service of Wellington Cantonment Board as a casual employee i.e. Safaiwala on daily wages basis in June, 1994. The Nilgiris District Employment Exchange has also sponsored his name to this post and accordingly, the Petitioner was appointed as a casual employee. He had put up continuous service for more than four years. He was paid wages of Rs. 50/- per day. During his service he has discharged his duties sincerely, diligently and efficiently and he had an unblemished record of service. He has acquired the status of permanent worker under the scheme as provided in the memorandum No. F. 4(3)/89/B(Civ) dated 31-01-1991. The safaiwala post is a permanent post and perennial in nature. From the date of joining the service in that permanent post, the Petitioner doing the work till the date of his termination. Instead of considering the Petitioner for regularisation, i.e. to appoint the Petitioner in the permanent post, the Respondent/Management had approached the District Employment Exchange to sponsor the candidates to fill up that permanent post of Safaiwala. Accordingly, the District Employment Exchange has sponsored the candidates to fill up the said post by sending a list containing the names of the persons sponsored along with the name of the Petitioner. The Respondent/Management has not called the Petitioner to appear for an interview to fill up the post in which he has already occupied. The Respondent/Management has acted with an ulterior motive and mala-fide intention in ignoring the Petitioner's service rendered continuously in the permanent post. But the Respondent has arbitrarily filled up the post by a fresh candidates. One of the workers who had been working along with the Petitioner as a casual worker on daily wage basis was offered with an appointment for a permanent post which is a discrimination against the Petitioner. It is unjustified and unfair. The Petitioner represented orally to the Respondent to consider him for the permanency in the post he was working. Since the Respondent has not given any concrete proposal, the Petitioner made a representative to the Head Office and other higher official on several occasions. But no fruitful reply was received by the Petitioner. Because of the Petitioner's continuous representations, the Respondent had terminated the Petitioner from service illegally in an arbitrary and unjustified manner on 30-9-97. No opportunity was given to the Petitioner before terminating his service. No notice was given and no enquiry was conducted. The termination is illegal. So the Petitioner filed an O.A.No. 1057/97 before the Hon'ble Central Administrative Tribunal along with other such workmen to get an injunction for the termination from service. But the said petition was dismissed on 6-3-98 stating that the Central

Administrative Tribunal has no jurisdiction to entertain this petition. Then the Petitioner has raised an industrial dispute before the Assistant Labour Commissioner (Central), Chennai. The conciliation ended in a failure. On submission of failure of conciliation report by the Assistant Labour Commissioner (Central), the Govt. has referred this dispute for adjudication by this Tribunal. The Wellington Cantonment Board employed more than 100 employees. The provisions of Industrial Disputes Act is attracted to the Respondent/Management. Before terminating the Petitioner from service, the conditions precedent to retrench any other workmen were not followed by the Respondent. It is in violation of the provisions of Section 25N of the Act. Before terminating the Petitioner himself, the Respondent/Management should have obtained prior permission from the Govt. The act of the Respondent amounts to gross abuse of power and authority. Prior to the termination of service, the Petitioner had completed 240 days in the preceding 12 calendar months. Since the Respondent has not followed the conditions precedent to retrenchment the termination is illegal and the Petitioner is deemed to be continued in service. The action of the Respondent is in violation of Article 21 of the Constitution of India. Hence, it is prayed that this Hon'ble Tribunal may be pleased to pass an Award directing the Respondent/Management to reinstate the Petitioner in service with back wages, continuity of service and other consequent and attendant benefits.

3. The averments in the Counter Statement filed by the II Party/Management Wellington Cantonment Board, Nilgiris (hereinafter refers to as Respondent) are briefly as follows :—

The Petitioner is put to strict proof of the averments in the Claim Statement. He was engaged intermittently as a casual Safaiwala on daily wage basis as and when required by the Military authorities for cleaning septic tanks in the Military area. The averment of the Petitioner that he has put in four years continuous service is false. Whenever he was engaged by the Respondent, the same was compensated by paying Rs. 50/- as wages per day. The Petitioner has not acquired permanent status as declined in the Claim Statement. No permanent post exists in the Respondent/Management for the purpose of cleaning septic tanks. The work done by the Petitioner is not perennial in nature and any averments contra to the same is denied. The question of regularisation of service does not arise at all. When regular vacancy for permanent post arose, the same will be filled up in accordance with rules. Vacancies will be notified to the Employment Exchange with a request to sponsor suitable candidates, interview will be conducted and suitable candidates will be selected on the basis of merit, age etc. If the Petitioner had necessary qualification, he would have been selected. Hence the contention of the

Petitioner that Respondent has acted with an ulterior motive, and mala fide intention is baseless and incorrect. The Respondent has not acted in an arbitrary manner. No worker on casual basis was offered with appointment for a permanent post discriminating the Petitioner. The regular post of safaiwala was held from the candidates sponsored by the Employment Exchange in accordance with law. Since the Petitioner has not put continuous service as defined under Section 25B of the Industrial Disputes Act, 1947 the question of issuing notice and conducting enquiry does not arise. Temporary engagement of casual labourers by the Respondent occasionally will not vest any right on the Petitioner to claim benefits under Industrial Disputes Act. Temporary contractual engagement of Casual Labourers, if at all will only fall within the ambit of Section 2(oo)2(bb) of Industrial Disputes Act, 1947 which is an exception to retrenchment. Hence the non-employment of the Petitioner/Workman did not amount to retrenchment and he cannot claim any relief from the Respondent under Industrial Disputes Act, 1947 much less retrenchment compensation of re-employment. There is no vacancy or post available with the Respondent to offer employment to the Petitioner. The claim of the Petitioner/Workman is stale barred by laches and as such the Petitioner is not entitled to seek benefits under Industrial Disputes Act. Under such circumstances, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the industrial dispute raised by the Petitioner with exemplary cost.

4. Though the Petitioner has filed an additional Claim Statement subsequently, for which an additional Counter Statement has also been filed by Respondent/Management, the authorised representative for the Petitioner had subsequently made an endorsement stating that "he is not pressing the additional Claim Statement and the earlier Claim Statement alone may kindly be considered as the Petitioner's Claim Statement". When the matter was taken up for enquiry finally after having adjourned the case for very many hearings, an advocate comes on record by filing his vakalat for the I Party on 25-03-2003 and on his request, the case was adjourned to 3-4-2003 for enquiry finally. On that day, the counsel for the I Party/Petitioner seeks further adjournment stating that he was not ready for the enquiry. Since the matter is an old one as the reference for adjudicating this industrial dispute has been made by the order of Govt. dated 3-8-99 and sufficient accommodation has been given for all these days for the Petitioner and his erstwhile authorised representative and subsequently for the counsel who entered appearance for the Petitioner to be ready for the enquiry finally on 3-4-2003 and further adjournments sought for by the counsel for Respondent has not been granted. The counsel for the II Party/Management present and ready and advanced his arguments and the case has been reserved

for orders to be passed on merits on this date i.e. 4-4-2003 with the available materials and records.

5. The point for my consideration is—

"Whether the action of the management of M/s. Wellington Cantonment Board, Nilgiris in terminating the services of Shri V. Mayavan is legal and justified ? If not, to what relief the workman is entitled ?"

Point:

It is admitted that the Petitioner/Workman Sri V. Mayavan was engaged by the Respondent/Management as a concerned employee on daily wages of Rs. 50/- per day. It is the definite contention of the Petitioner in his Claim Statement that he had joined the service of the Respondent in June, 1994 and had put in continuous service for more than four years and his services have been terminated on 30-9-97. It is his further contention that the post for which he was engaged is a permanent post for the work which is perennial in nature and that without considering his services for regularisation, the Respondent approached the District Employment Exchange to sponsor the candidates to fill up the permanent post and in the list of candidates sponsored by the District Employment Exchange, his name was also there. But, he was not called by the Respondent to appear for interview and that ignoring his continuous service in that post, one of the workers who has been working along with him as a casual worker on daily wage basis was offered an appointment for that permanent post, discriminating the Petitioner and that without giving any notice and without giving any opportunity and without conducting any enquiry, the Respondent has terminated his service in an arbitrary manner and his services have been terminated without obtaining permission from the Govt. under Section 25N of the Industrial Disputes Act, 1947. It is his further contention that he had completed 240 days of service prior to his termination in the preceding 12 calendar months and the Respondent has not followed the conditions precedent before terminating his service.

For all these averments, the Petitioner has not chosen to let in oral or documentary evidence before this Tribunal when especially, the Respondent/Management has taken a definite stand in their Counter Statement that the averments in the Claim Statement of the Petitioner have to be proved strictly.

6. It is definite contention of the Respondent/Management in their Counter Statement that the Petitioner was engaged intermittently as a casual safaiwala on daily wage basis as and when required by the military authorities

for cleaning septic tanks in the military area and that no permanent post exists in the Respondent for the purpose of cleaning septic tanks and the work done by the Petitioner is not perennial in nature and the Petitioner has not acquired a permanent status as he has not put in four years continuous service as alleged by him. To disprove this contention the petitioner has not come forward to let in any oral or documentary evidence and to prove his averments in the Claim Statement. It is further contended in the Counter Statement that if the Petitioner had the necessary qualification, he would have been selected in the interview and no worker on casual basis was offered with an appointment for the permanent post discriminating the Petitioner.

7. Though it is the specific averment of the Petitioner in his Claim Statement that he had completed 240 days of service in the preceding 12 calendar months of the termination of his service, he has not let in any acceptable oral or documentary evidence, before this Tribunal to substantiate his claim. The learned counsel for the Respondent/Management has relied upon a decision rendered by the Hon'ble Supreme Court of India in a case reported as 2002 III LLJ 1111 between Essen Deiniki and Rajiv Kumar and has argued that to claim the benefit under Section 25B(2) and 25F of the Industrial Disputes Act, 1947, it was for the workman to prove that he actually worked under the employer for not less than 240 days and the Petitioner has miserably failed to do the same with acceptable evidence in this case and hence, the above mentioned decision of the Supreme Court is squarely applicable to this case. In that case, the Supreme Court observed that *"the proof of working for 240 days was on the employee. It is further held that 'the requirement of the statute of 240 days cannot be disputed and it is for the employee concerned to prove that he has in fact completed 240 days in the last preceding 12 months period'".* It is further observed by the Supreme Court in that case that *"the proof of working for 240 days is stated to be on the employee in the event of any denial of such vacuum."* The Hon'ble Supreme Court in that decision has relief upon the earlier decision of the Supreme Court in the case reported as 2002 1 LLJ 1053. In that earlier decision, the Hon'ble Supreme Court has stated as follows:—

"In our opinion, the Tribunal was not right in placing the onus on the management without first determining on the basis of cogent evidence that the Respondent had worked for more than 240 days in the year preceding his termination. It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding

his termination. No proof of receipt of salary for wages for 240 days or order or record of appointment or engagement for these period was produced by the workman. On this ground alone, the Award is liable to be set aside."

These decisions of the Hon'ble Supreme Court are squarely applicable to the facts of the present case as rightly contended by the learned counsel for the Respondent/Management. It is not denied that the Petitioner was engaged as a casual safaiwala on daily wage basis for cleaning septic tanks in the military areas. The contention of the Respondent/Management that no permanent post exists in the Respondent for the purpose of cleaning septic tanks and the work done by the Petitioner is not perennial in nature has not been denied as incorrect or false. For the averment of the Petitioner in his Claim Statement that the non-employment of the Petitioner amounts to retrenchment has not been proved with substantial acceptable evidence. In the absence of proof for the claim of the Petitioner that he has put in continuous service as defined under Section 25B of the Industrial Disputes Act, 1947, the question of issuing notice, payment of notice pay and compensation and conducting an enquiry does not arise. As rightly contended by the learned counsel for the Respondent that the temporary engagement of Casual Labourers occasionally by the Respondent will not vest any right on the Petitioner to claim benefits under the Industrial Disputes Act, 1947 alleging contravention of Section 25N of the Industrial Disputes Act, 1947. So, under such circumstances, when there is no question of termination of service of the Petitioner, who was admittedly engaged as a casual employee on daily wages for the work of non-permanent nature and as and when it is required, it cannot be said that the action of the management of Wellington Cantonment Board, Nilgiris in non-engaging the Petitioner in service is illegal and unjustified. Hence, the concerned workman is not entitled for any relief. Thus, the point is answered accordingly.

8. In the result, an Award is passed holding that the concerned workman Sri V. Mayavan is not entitled for any relief. No Cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 4th April, 2003.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined : None
on either side

Exhibits marked : Nil
on either side

नई दिल्ली, 10 अप्रैल, 2003

का. आ. 1373.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैलिंगटन कैन्टोन्मेन्ट बोर्ड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 167/2001 को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-4-2003 को प्राप्त हुआ था।

[सं. एल-13012/4/99-आई. आर. (डी. यू.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 10th April, 2003

S.O. 1373.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 167/2001) of the Central Government Industrial Tribunal, Labour Court, Chennai now as shown in the Annexure, in the Industrial Dispute between the management of Wellington Cantonment Board and their workman, which was received by the Central Government on 10-4-2003.

[No. L-13012/4/99-IR (DU)]

KULDIP RAI VERMA, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Friday, the 4th April, 2003

PRESENT: K. Karthikeyan, Presiding Officer.

INDUSTRIAL DISPUTE NO. 167/2001

(Tamil Nadu State Industrial Tribunal I. D. No. 163/99)

(In the matter of the dispute for adjudication under clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Sri P. Kumaran and the Executive Officer, Wellington Cantonment Board.)

BETWEEN:

Sri P. Kumaran : I Party/Workman

AND

The Executive Officer, : II Party/Management
Wellington Cantonment Board
Nilgiris.

APPEARANCE:

For the Workman : Sri T. Ramkumar and
P. Chandrasekaran,
Advocates.

For the Management : M/s. King & Partridge
Advocates.

The Govt. of India, Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Dispute Act, 1947

(14 of 1947), have referred the concerned dispute for adjudication vide Order No. L-13012/4/99/IR(DU) dated 03-08-99.

This reference has been made earlier to Tamil Nadu State Industrial Tribunal, Chennai, where the same was taken on file as I.D. No. 163/99. When the matter was pending enquiry in that Tribunal. Government of India, Ministry of Labour was pleased to order transfer of this case also from the file of Tamil Nadu State Industrial Tribunal to this Tribunal for adjudication. On receipt of records from that Tamil Nadu State Industrial Tribunal, this case has been taken on file as I.D. No. 167/2001 and notices were sent to the counsel on record on either side, informing them about the transfer of this case to this Tribunal, with a direction to appear before this Tribunal on 05-02-2001 with their respective parties and to prosecute this case further. Accordingly, the learned counsel on either side along with their respective parties have appeared and prosecuted this case further. The Claim statement and Counter Statement of the respective parties were filed earlier before the Tamil Nadu State Industrial Tribunal, when the matter was pending before that Tribunal for adjudication.

Upon perusing the Counter Statement, the other material papers on record, after hearing the learned counsel for the II Party/Management alone and this matter having stood over till this date for consideration, this Tribunal has passed on merits, the following :—

AWARD

The Industrial Dispute referred to in the above order of reference by the Central Govt. for adjudication by this Tribunal is as follows :—

“Whether the action of the management of M/s. Wellington Cantonment Board, Nilgiris in terminating the services of Shri P. Kumaran is legal and justified? If not, to what relief the workman is entitled?”

2. The averments in the Claim Statement filed by the I Party/Workman Sri P. Kumaran (hereinafter refers to as Petitioner) are briefly as follows :—

The Petitioner joined the service of Wellington Cantonment Board as casual employee i.e. Safaiwala on daily wages basis in June, 1994. The Nilgiris District Employment Exchange has also sponsored his name to this post and accordingly, the Petitioner was appointed as a casual employee. He had put up continuous service for more than four years. He was paid wages of Rs. 50 per day. During his service he has discharged his duties sincerely, diligently and efficiently and he had an unblemished record of service. He has acquired the status of permanent worker under the scheme as provided in the memorandum No. F-4(3)/89/B(Civ) dated 31-01-1991. The safaiwala post is a permanent post and perennial in nature. From the date of

joining the service in that permanent post, the Petitioner doing the work till the date of his termination. Instead of considering the Petitioner for regularisation i.e. to appoint the Petitioner in the permanent post, the Respondent/Management has approached the District Employment Exchange to sponsor the candidates to fill up that permanent post of Safaiwala. Accordingly, the District Employment Exchange has sponsored the candidates to fill up the said post by sending a list containing the names of the persons sponsored along with the name of the Petitioner. The Respondent/Management has not called the Petitioner to appear for an interview to fill up the post in which he has already occupied. The Respondent/Management has acted with an ulterior motive and mala fide intention in ignoring the Petitioner's service rendered continuously in the permanent post. But the Respondent has arbitrarily filled up the post by a fresh candidate. One of the workers who has been working along with the Petitioner as a casual worker on daily wage basis was offered with an appointment for a permanent post which is a discrimination against the Petitioner. It is unjustified and unfair. The Petitioner represented orally to the Respondent to consider him for the permanency in the post he was working. Since the Respondent has not given any concrete proposal, the Petitioner made a representation to the Head Office and other higher official on several occasions. But no fruitful reply was received by the Petitioner. Because of the Petitioner's continuous representations, the Respondent has terminated the Petitioner from service illegally in an arbitrary and unjustified manner on 30-9-97. No opportunity was given to the Petitioner before terminating his service. No notice was given and no enquiry was conducted. The termination is illegal. So the Petitioner filed an O.A. No. 1057/97 before the Hon'ble Central Administrative Tribunal along with other such workmen to get an injunction for the termination from service. But the said petition was dismissed on 6-3-98 stating that the Central Administrative Tribunal has no jurisdiction to entertain this petition. Then the Petitioner has raised an industrial dispute before the Assistant Labour Commissioner (Central), Chennai. The conciliation ended in a failure. On submission of failure of conciliation report by the Assistant Labour Commissioner (Central), the Govt. has referred this dispute for adjudication by this Tribunal. The Wellington Cantonment Board employed more than 100 employees. The provisions of Industrial Disputes Act is attracted to the Respondent/Management. Before terminating the Petitioner from service, the conditions precedent to retrench any other workman were not followed by the Respondent. It is in violation of the provisions of Section 25 N of the Act. Before terminating the Petitioner himself, the Respondent/Management should have obtained prior permission from the Govt. The act of the Respondent amounts to gross abuse of power and authority. Prior to the termination of service, the Petitioner had completed 240 days in the preceding 12 calendar months. Since the Respondent has not followed

the conditions precedent to retrenchment the termination is illegal and the Petitioner is deemed to be continued in service. The action of the Respondent is in violation of Article 21 of the Constitution of India. Hence, it is prayed that this Hon'ble Tribunal may be pleased to pass an Award directing the Respondent/Management to reinstate the Petitioner in service with back wages, continuity of service and other consequent and attendant benefits.

3. The averments in the Counter Statement filed by the II Party/Management Wellington Cantonment Board, Nilgiris (hereinafter refers to as Respondent) are briefly as follows:—

The Petitioner is put to strict proof of the averments in the Claim Statement. He was engaged intermittently as a casual Safaiwala on daily wage basis as and when required by the Military authorities for cleaning septic tanks in the Military area. The averment of the Petitioner that he has put in four years continuous service is false. Whenever he was engaged by the Respondent, the same was compensated by paying Rs. 50 as wages per day. The Petitioner has not acquired permanent status as declined in the Claim Statement. No permanent post exists in the Respondent/Management for the purpose of cleaning septic tanks. The work done by the Petitioner is not perennial in nature and any averment contra to the same is denied. The question of regulation of service does not arise at all. When regular vacancy for permanent post arose, the same will be filled up in accordance with rules. Vacancies will be notified to the Employment Exchange with a request to sponsor suitable candidates, interview will be conducted and suitable candidates will be selected on the basis of merit, age etc. If the Petitioner had necessary qualification, he would have been selected. Hence the contention of the Petitioner that Respondent has acted with an ulterior motive and mala fide intention is baseless and incorrect. The Respondent has not in an arbitrary manner. No worker on casual basis was offered with appointment for a permanent post discriminating the Petitioner. The regular post of safaiwala was held from the candidates sponsored by the Employment Exchange in accordance with law. Since the Petitioner has not put continuous service as defined under section 25B of the Industrial Disputes Act, 1947 the question of issuing notice and conducting enquiry does not arise. Temporary engagement of casual labourers by the Respondent occasionally will not vest any right on the Petitioner to claim benefits under Industrial Disputes Act. Temporary contractual engagement of Casual Labourers, if at all will only fall within the ambit of section 2(oo)2(bb) of Industrial Disputes Act, 1947 which is an exception to retrenchment. Hence the non-employment of the Petitioner/Workman did not amount to retrenchment and he cannot claim any relief from the Respondent under Industrial Disputes Act, 1947 much less retrenchment compensation or re-employment. There is no vacancy or post available with the Respondent

to offer employment to the Petitioner. The claim of the Petitioner/Workman is stale barred by laches and as such the Petitioner is not entitled to seek benefits under Industrial Disputes Act. Under such circumstances, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the industrial dispute raised by the Petitioner with exemplary cost.

4. Though the Petitioner has filed an additional Claim Statement subsequently, for which an additional Counter Statement has also been filed by Respondent/Management, the authorised representative for the Petitioner had subsequently made an endorsement stating that "he is not pressing the additional Claim Statement and the earlier Claim Statement alone may kindly be considered as the Petitioner's Claim Statement". When the matter was taken up for enquiry finally after having adjourned the case for very many hearings, an advocate comes on record by filing his vakalat for the I Party on 25-3-2003 and on his request, the case was adjourned to 3-4-2003 for enquiry finally. On that day, the counsel for the I Party/Petitioner seeks further adjournment stating that he was not ready for the enquiry. Since the matter is an old one as the reference for adjudicating this industrial dispute has been made by the order of Govt. dated 3-8-99 and sufficient accommodation has been given for all these days for the Petitioner and his erstwhile authorised representative and subsequently for the counsel who entered appearance for the Petitioner to be ready for the enquiry finally on 3-4-2003 and further adjournments sought for by the counsel for Respondent has not been granted, the counsel for the II Party/Management present and ready and advanced his arguments and the case has been reserved for orders to be passed on merits on this date i.e. 4-4-2003 with the available materials and records.

5. The point for my consideration is—

"Whether the action of the management of M/s. Wellington Cantonment Board, Nilgiris in terminating the services of Shri P. Kumaran is legal and justified? If not, to what relief the workman is entitled?"

Point:

It is admitted that the Petitioner/Workman Sri P. Kumaran was engaged by the Respondent/Management as a casual employee on daily wages of Rs. 50/- per day. It is the definite contention of the Petitioner in his Claim Statement that he had joined the service of the Respondent in June, 1994 and had put in continuous service for more than four years and his services have been terminated on 30-9-97. It is his further contention that the post for which he was engaged is a permanent post for the work which is perennial in nature and that without considering his services for regularisation, the Respondent approached the district Employment Exchange to sponsor the candidates to fill up the permanent post and in the list of candidates sponsored by the District Employment

Exchange, his name was also there. But, he was not called by the Respondent to appear for interview and that ignoring his continuous service in that post, one of the workers who has been working along with him as a casual worker on daily wage basis was offered an appointment for that permanent post, discriminating the Petitioner and that without giving any notice and without giving any opportunity and without conducting any enquiry, the respondent has terminated his service in an arbitrary manner and his services have been terminated without obtaining permission from the Govt. under section 25N of the Industrial Disputes Act, 1947. It is his further contention that he had completed 240 days of service prior to his termination in the preceding 12 calendar months and the Respondent has not followed the conditions precedent before terminating his service. For all these averments, the Petitioner has not chosen to let in oral or documentary evidence before this Tribunal when especially, the Respondent/Management has taken a definite stand in their Counter Statement that the averments in the Claim Statement of the Petitioner have to be proved strictly.

6. It is the definite contention of the Respondent/Management in their Counter Statement that the Petitioner was engaged intermittently as a casual safaiwala on daily wage basis as and when required by the military authorities for cleaning septic tanks in the military area and that no permanent post exists in the Respondent for the purpose of cleaning septic tanks and the work done by the Petitioner is not perennial in nature and the Petitioner has not acquired permanent status as he has not put in four years continuous service as alleged by him. To disprove this contention the Petitioner has not come forward to let in any oral or documentary evidence and to prove his averments in the Claim Statement. It is further contended in the Counter Statement that if the Petitioner had the necessary qualification, he would have been selected in the interview and no worker on casual basis was offered with an appointment for the permanent post discriminating the Petitioner.

7. Though it is the specific averment of the Petitioner in his Claim Statement that he had completed 240 days of service in the preceding 12 calendar months of the termination of his service, he has not let in any acceptable oral or documentary evidence, before this Tribunal to substantiate his claim. The learned counsel for the Respondent/Management has relied upon a decision rendered by the Hon'ble Supreme Court of India in a case reported as 2002 III LLJ 1111 between ESSEN DEINIKI AND RAJIV KUMAR and has argued that to claim the benefit under section 25B(2) and 25F of the Industrial Disputes Act, 1947, it was for the workman to prove that he actually worked under the employer for not less than 240 days and the Petitioner has miserably failed to do the same with acceptable evidence in this case and hence, the above mentioned decision of the Supreme Court is squarely

applicable to this case. In that case, the Supreme Court observed that "the proof of working for 240 days was on the employee." It is further held that "the requirement of the statute of 240 days cannot be disputed and it is for the employee concerned to prove that he has in fact completed 240 days in the last preceding 12 months period". It is further observed by the Supreme Court in that case that the proof of working for 240 days is stated to be on the employee in the event of any denial of such factum". The Hon'ble Supreme Court in that decision has relief upon the earlier decision of the Supreme Court in the case reported as 2002 1 LLJ 1053. In that earlier decision, the Hon'ble Supreme Court has stated as follows:—

"In our opinion, the Tribunal was not right in placing the onus on the management without first determining on the basis of cogent evidence that the Respondent had worked for more than 240 days in the year preceding his termination. It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding his termination. No proof of receipt of salary for wages for 240 days or order or record of appointment or engagement for these period was produced by the workman. On this ground alone, the Award is liable to be set aside."

These decisions of the Hon'ble Supreme Court are squarely applicable to the facts of the present case as rightly contended by the learned counsel for the Respondent/Management. It is not denied that the Petitioner was engaged as a casual safaiwala on daily wage basis for cleaning septic tanks in the military areas. The contention of the Respondent/Management that no permanent post exists in the Respondent for the purpose of cleaning septic tanks and the work done by the Petitioner is not perennial in nature has not been denied as incorrect or false. For the averment of the Petitioner in his Claim Statement that the non-employment of the Petitioner amounts to retrenchment has not been proved with substantial acceptable evidence. In the absence of proof for the claim of the Petitioner that he has put in continuous service as defined under section 25B of the Industrial Disputes Act, 1947, the question of issuing notice, payment of notice pay and compensation and conducting an enquiry does not arise. As rightly contended by the learned counsel for the Respondent that the temporary engagement of Casual Labourers occasionally by the Respondent will not vest any right on the Petitioner to claim benefits under the Industrial Disputes Act, 1947 alleging contravention of Section 25N of the Industrial Disputes Act, 1947. So, under such circumstances, when there is no question of termination of service of the Petitioner, who was admittedly engaged as a casual employee on daily wages for the work of non-permanent nature and as and when it is required, it cannot be said that

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the action of the management of Wellington Cantonment Board, Nilgiris in non-engaging the Petitioner in service is illegal and unjustified. Hence, the concerned workman is not entitled for any relief. Thus, the point is answered accordingly.

8. In the result, an Award is passed holding that the concerned workman Sri T. Kumaran is not entitled for any relief. No Cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 4th April, 2003.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined:—On either side : None

Exhibits marked:— On either side : Nil

नई दिल्ली, 10 अप्रैल, 2003

का. आ. 1374.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हैवी व्हीकल फैक्टरी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पंचाट (संदर्भ संख्या 81/2000), को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-4-2003 को प्राप्त हुआ था।

[सं. एल-14012/9/2000-आर्.आर.(डी.ए.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 10th April, 2003

S.O. 1374.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 81/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai now as shown in the Annexure. In the industrial dispute between the employers in relation to the management of Heavy Vehicles Factory and their workman, which was received by the Central Government on 10-4-2003.

[No. L-14012/9/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Wednesday, the 2nd April, 2003

PRESENT: K. KARTHIKEYAN, Presiding Officer.

INDUSTRIAL DISPUTE NO. 81/2000

(In the matter of the dispute for adjudication under clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Sri A. Kajendran and the Management of the General Manager, Heavy Vehicles Factory.)

BETWEEN:

Sri A. Kajendran : I Party/Workman

ANDThe General Manager, : II Party/Management
Heavy Vehicles Factory,
Avadi, Chennai.**Appearance:**For the Workman : M/s. K. M. Ramesh,
K. Viswanathan &
A.N. Kumar,
Advocates.For the Management : Sri K.M. Venugopal,
ACGSC.

The Govt. of India, Ministry of Labour in exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947), have referred the concerned industrial dispute for adjudication vide Order No. L-14012/9/2000/IR(DU) dated 31-7-2000.

On receipt of the order of reference from the Government of India Ministry of Labour, this case has been taken on file as I.D. No. 81/2000 and notices were sent the parties to the dispute by registered post, with a direction to appear before this Tribunal on 5-12-2000 to file their respective Claim Statement and Counter Statement and to prosecute this case further. Accordingly, the learned counsel on record on either side have filed their respective claim statement and counter statement and prosecuted this case further.

Upon perusing the Claim Statement, Counter Statement, oral and documentary evidence let in on either side, the other material papers on record, after hearing the arguments advanced by the learned counsel on either side and this matter having stood over till this date for consideration, this Tribunal has passed the following:—

AWARD

The Industrial Dispute referred to in the above mentioned order of reference by the Central Govt. for adjudication by this Tribunal is as follows:—

"Whether the termination of Shri A. Kajendran, Civilian Motor Driver from employment by the management of Heavy Vehicles Factory, Avadi is legal and justified? If not, to what relief the workman is entitled?"

2. The averments in the Claim Statement filed by the I Party/Workman Sri A. Kajendran (hereinafter refers to as Petitioner) are briefly as follows:—

The Petitioner joined the services under the II Party/Management Heavy Vehicles Factory, Avadi, Chennai in December, 1983 as a Casual Labour Driver. He was absorbed

as a permanent workman in the cadre of Civilian Motor Driver by an order dated 7-6-84. The I Party had been discharging his duties faithfully, efficiently, sincerely ever since the date of his appointment under the II Party/Management. All of a sudden, the II Party/Management issued a charge memo dated 13-6-97 to the Petitioner alleging that he had committed a misconduct of assaulting one Sri S. Ambikapathy, a former Civilian Motor Driver on 28-2-97 at about 9.15 hrs. and that was witnessed by other drivers. No such incident ever took place either on the specified date or any date earlier or subsequently. The delay in issuing the charge memo to the Petitioner after more than four months from the date of alleged incident had not been explained by the II Party/Management. On receipt of the charge memo, the Petitioner submitted his explanation on 9-7-2000, wherein he denied the charges in toto. The Petitioner was placed under suspension for that alleged incident by an order dated 23-4-98. It was done as a measure of victimisation and unfair labour practice. On the first day of the enquiry on 8-11-97, the Enquiry Officer questioned the Petitioner as to whether he pleads guilty or not, the Petitioner pleaded not guilty and had requested two weeks time for engaging a defence assistant. By a letter dated 11-11-97 the Petitioner was intimated by the Enquiry Officer that the 2nd sitting could be taken placed on 24-11-97. On that day, no proceeding was held and it was adjourned without mentioning the next date. But the Petitioner received the letter dated 29-5-98 enclosing the copy of the proceedings of the Court of Enquiry concluding that the charges alleged against the Petitioner had been proved beyond reasonable doubt and directing the Petitioner to give his submissions on the report of the Enquiry Officer. He gave his submissions raising various objections and by stating that the enquiry had not been conducted in a manner known to law and he had not been provided with a fair and reasonable opportunity to defend himself. Not satisfied with his explanation, the II Party/Management by its letter dated 18-7-98 awarded the Petitioner the punishment of removal from service w.e.f. 18-7-98. The Petitioner preferred an appeal and the same was rejected by the Additional Director General by his order dated 31-12-98, who is not the Appellate Authority. The order of the appellate Authority is a biased one. The charges alleged against the Petitioner had not been proved in a manner known to law. The enquiry conducted by the II Party/Management was nothing but a farce, sham and pretence and not a genuine one. The enquiry was not conducted in the presence of the Petitioner. The Petitioner was not given the fair and reasonable opportunity to defend himself. Thus the enquiry said to have been conducted by the II Party/Management is neither fair nor proper but it was farce and stage-managed. The so called findings of the Enquiry Officer in his report holding the Petitioner guilty of the charges are perverse and bad in law. The said finding is one sided and partisan. The Disciplinary Authority had not applied his mind independently. The II

Party/Management had mechanically passed the order of removing the Petitioner from service. The appeal has been taken up and disposed of by the Additional Director General, who is not the Appellate Authority. The Petitioner has raised an industrial dispute before the Assistant Labour Commissioner (Central) Chennai. There the II Party/Management raised an objection that the Petitioner's remedy was only to go before the Central Administrative Tribunal. The Assistant Labour Commission (Central) Chennai, could not settle the dispute amicably in the conciliation proceedings. On his submission of failure of conciliation report, the Govt. has referred this dispute to this Tribunal for adjudication. Hence, it is prayed that the Hon'ble Tribunal may be pleased to hold that the action of the II Party/Management in removing the Petitioner from service is not justified and direct the II Party/Management to reinstate the Petitioner in service with back wages, continuity of service and all other attendant and consequential benefits.

3. The averments in the Counter Statement filed by the II Party/Management Heavy Vehicles factory, Avadi (hereinafter refers to as Respondent) are briefly as follows :—

The Ordnance Factory (Heavy Vehicles Factory) is not an industry under the definition of Industrial Disputes Act, 1947. This factory performs sovereign functions of Central Govt. under Ministry of Defence catering the needs of Indian Army. The Respondent is doing its statutory duties under Constitution of India. The dispute between an employee and the Govt. is not an industrial dispute at all. Hence, the reference is bad in law. This Hon'ble Tribunal may not have jurisdiction in this matter and this is not the appropriate forum for the litigant. The Respondent's factory is not engaged in commercial or industrial activities and it cannot be described as an industry. It is not the object of the Respondent/Management to produce and distribute finished products to satisfy wants needs of the consumer community. Therefore, if at all there is any service disputes, from the staff of the Respondent only Central Administrative Tribunal, Chennai has jurisdiction to decide any order passed by any department with regard to service cases. The Petitioner was removed from service on disciplinary grounds and not as a workman to attract Industrial Disputes Act, 1947. He is not retrenched as a workman. He has been removed from service, after giving him an opportunity to be heard in a duly constituted Court of Inquiry. The employees of the Heavy Vehicles Factory are governed by Central Civil Service Rules framed under Article 311 and 312 of the Constitution of India. Petitioner's disciplinary record and his past performance of his service was not satisfactory. On 3-10-94 a penalty of censure was imposed for money lending. On 25-7-96 a penalty of withholding of increment for two years without cumulative effect was imposed for misusing Govt. vehicle and violation of main gate procedure. On 19-8-96 a penalty of reduction in pay by two stages for one year without cumulative effect was

imposed for the offence of proxy punching and violation of mustering procedure. On 21-7-98 a penalty of reduction in pay by one stage for one year with cumulative effect for the offence unauthorisedly taking the Govt. vehicle outside the factory and manipulation of facts were imposed. During the period of 13 years the Petitioner has been given penalties four times for various offences and hence his claim of faithfulness, efficiency and sincerity in his service is strictly denied. One Sri S. Ambikapathi Ex. Civil Motor Driver, Heavy Vehicles Factory had visited transport section at 09.00 hours vide main gate casual visitor's pass. At 09.15 hrs. Sri S. Ambikapathy reported that he had been assaulted by Sri A. Kajendran. When security staff visited transport section, Sri S. Ambikapathy stated that he had visited transport section to receive some papers from Sri G. Kumar, Civilian Motor Driver, while he was coming out of the rest room for Civilian Motor Driver, Sri A. Kajendran assaulted him in the presence of the drivers S/Sri D. Santhanam, G. Kumar, M.S. Rajendran, and A. Krishnamurthy. The first three drivers had confirmed that Sri A. Kajendran had assaulted Sri S. Ambikapathy in their presence and gave their statements of witnesses. Sri A. Kajendran had also submitted a complaint dated 28-2-97 against Sri S. Ambikapathy. Hence, his plea that no incident had happened on 28-2-97 is false. The Chairman of the fact finding Board after conducting the enquiry submitted his report on 28-4-97 holding that Sri A. Kajendran had manhandled Sri S. Ambikapathy. After that the Disciplinary Authority placed the Petitioner under suspension as per the CCS (CC&A) Rules, 1965. The Petitioner was charge sheeted under Rule 14 of CCS (CC & A) Rules, 1965 vide charge memo dated 13-6-97 for the offence of gross misconduct viz. assault of Sri S. Ambikapathy, ex-Govt. employee inside the factory and conduct unbecoming of a Govt. Servant as per Rules 3(1)(iii) of CCS (Conduct) Rules, 1964. There was no delay in issue of charge sheet. Based on another report dated 18-4-98 received from Security Officer/Works Manager (Admn-II) Sri A. Kajendran was placed under re-suspension on 23-4-98 in connection with another misconduct of assaulting durwan on duty. He was subsequently charge sheeted vide charge memo dated 2-7-98 for the offence of assault of Sri Andrews, Duty Durwan at Admin gate which is pending for further action. As per the provisions of Rule 14 of CCS (CC & A) Rules, 1965, the Enquiry Officer has conducted the enquiry and the Petitioner was given reasonable opportunity to defend his case. Witnesses cited in the charge sheet and also the witnesses named by the Petitioner had been examined by the Enquiry Officer. After conducting the enquiry in accordance with rules on the subject, the Enquiry Officer submitted his report with a finding that the charges framed against the Petitioner were established beyond doubt. As per rules, a copy of the enquiry report was forwarded to the Petitioner on 29-5-98 directing him to make his submissions. In response to this, the petitioner submitted his report dated June, 1998. The Disciplinary Authority

viz. General Manager, Heavy Vehicles Factory after examining the reply on the enquiry proceedings submitted by the Petitioner and analysing the records/evidences and also considered the serious nature of the offence committed opined that the petitioner was unfit to continue to be employed as a Govt. Servant and imposed a penalty of removal from service vide order dated 18-7-98. The petitioner's appeal preferred to Chairman, Ordnance Factory Board has been disposed by the Additional Director General, Ordnance Factory since he is next higher authority to the Disciplinary Authority as per CCS (CCA) Rules. He opined that the appeal is without any merit and accordingly rejected the same by his order dated 31-12-98. The penalty appealed against was not imposed by the same authority who decided the appeal. The complainant Sri S. Ambikapathy was not cited as prosecution witness and was not examined, since he is a retired employee and a pensioner. The Enquiry Officer after conducting the enquiry in accordance with the rules submitted his report with the finding that the charges framed against the Petitioner were established beyond doubt. Being the employee of the Govt. the Petitioner must adhere all the principles of dignity and morality both inside and outside the factory. The Procedure as given in the rules has been followed and the Disciplinary Authority has imposed the penalty. Hence, it cannot be construed as victimisation. Therefore both factually and legally the order dismissing the I Party passed by the Disciplinary Authority is legally correct and in accordance with the principles of natural justice and no interference is called for. Therefore, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the claim of the Petitioner.

4. When the matter was taken up for enquiry, after the documents filed on either side have been marked as Ex. W1 to W10 and M1 to M7 respectively, a memo has been filed by the II party/Management stating that the II Party is given up a domestic enquiry conducted against the I party and the II Party may be permitted to let in evidence before this Tribunal to prove the charges levelled against the I Party/Workman. The memo was recorded and the II Party/Management was permitted to let in evidence before this Tribunal to prove the charges against the I Party/Workman. On the side of the Respondent/Management 8 witnesses have been examined and further 11 documents have been marked as Exhibits. M8 to M18. The Petitioner has been examined himself as WW1 and two more documents have been marked on his side as Ex. W11 and W12. The learned counsel on either side had advanced their respective arguments.

5. The point for may consideration is —

"Whether the termination of Shri A. Kajendran, Civilian Motor Driver from employment by the management of Heavy Vehicles Factory, Avadi is

legal and justified? If not, to what relief the workman is entitled?"

Point :—

This is an Industrial dispute raised by the petitioner/ Workman Sri A. Kajendran against the II party/ Management, Heavy Vehicles Factory, Avadi, Chennai, challenging the action of the Respondent/Management in terminating him from service as Civilian Motor Driver as illegal and unjustified. It is alleged that the Petitioner was issued a charge memo for his alleged misconduct of assaulting one Sri S. Ambikapathy former Civilian Motor Driver of Heavy Vehicles Factory when he came to the factory on 28-2-97. It is also alleged that a domestic enquiry was conducted for the alleged misconduct mentioned in the charge memo. It is the definite averment of the petitioner/Workman in his Claim Statement that no enquiry was conducted in his presence and he was not given a fair and reasonable opportunity to defend himself and the enquiry conducted by the II Party/Management is neither fair nor proper and in that domestic enquiry the alleged victim has not been cited as a witness and he has not been examined in the presence of the Petitioner, the charge sheeted employee and that other prosecution witnesses also have not been examined in the presence of the Petitioner and he has not been given reasonable opportunity to defend himself effectively. In the Counter Statement, it is alleged that the alleged victim Sri S. Ambikapathy was not cited as witness and was not examined since he was a retired employee and a pensioner. Ex. M4 is the xerox copy of the charge memo dated 13-6-97 issued to the Petitioner. Ex. W1 is the xerox copy of the reply given by the petitioner dated 9-7-97 for the charge memo. He has simply stated in his reply that he plead not guilty of the charges levelled against him. Ex. W6 is the xerox copy of the enquiry report submitted by the enquiry authority holding that the charge framed against the Petitioner is proved beyond doubt. That report has been forwarded to the Petitioner with a covering letter dated 29-3-98 informing him that if he wish to make any representation or submission, he can do so in writing to the Disciplinary Authority within 15 days of the receipt of that letter. Ex. W7 is the xerox copy of the reply given by the Petitioner for the findings of the enquiry authority. He has stated in his reply that the wholly enquiry is one sided and fair opportunity of being heard has been denied to him. After the documents on either side have been marked by consent as Ex. W1 to W10 and M1 to M7 a memo has been filed by the II party/Management stating that the II Party is given up the domestic enquiry conducted against the I Party and the II Party may be permitted to let in evidence before this Tribunal to prove the charges levelled against the I Party/Workman. The said memo has been recorded and the II party/Management was permitted to let in evidence before this Tribunal to prove the charges levelled against the I Party/Workman. Accordingly, the

management has examined eight witnesses including the alleged victim MW1. On the side of the Petitioner/Workman, the Petitioner himself has examined as WW1. In addition to the documents already exhibited on either side, two more documents on the side of the Petitioner and 11 more documents on the side of the management have been exhibited as W11 and W12 and M8 to M18 respectively.

6. It is stated in the charge memo Ex. M4 that the Petitioner Sri A. Kajendran while functioning as Civilian Motor Driver in Heavy Vehicles Factory, Avadi, has committed acts amounting to gross misconduct viz. assault of Sri S. Ambikapathy, an Ex-Govt. employee inside the factory and conduct unbecoming of a Govt. servant as per rule 3(1)(ii) of CCS (conduct) Rules, 1964, it is further alleged that it has been reported that on 28-2-1997 at about 9.15 hrs. Sri S. Ambikapathy, Ex-Civilian Motor Driver, Heavy Vehicles Factory visited the Factory through main gate on casual visitors' pass (No. 064146) to collect some papers from transport section. While he was coming out of the section, near rest room Sri A. Kajendran has assaulted Sri Ambikapathy in the presence of other drivers and that S/Sri Santhanam, Civilian Motor Driver, M. S. Rajendran, Civilian Motor Driver, C. Kumar, Civilian Motor Driver, and Sri S. Ambikapathy Ex-Civilian Motor Driver have given statements on the same day. As stated already for this charge memo, the Petitioner has given his reply under Ex. W1 simply stating that he plead not guilty to the charges levelled against him. He has not stated specifically that no such incident as alleged in the charge memo had taken place on that day and he has not assaulted the ex-Civilian Motor Driver Sri S. Ambikapathy as stated in the charge memo. The victim Sri S. Ambikapathy has been examined as MW1 before this Tribunal. It is his evidence that on 28-2-97 morning he went to Heavy Vehicles Factory for getting arrears amount due to him from that factory and when he was talking with his co-employees at about 9.15 am the Petitioner Sri A. Kajendran came and asked him in respect of Association matter and when he replied him that he does not know about it, since he had retired from service, the Petitioner scolded him in a filthy language and attempted to assault him and that before the Petitioner assault him, he escaped from that place and that petitioner did not flout him on his face. It is his further evidence that he reported this incident orally to Foreman John and he subscribed his signature in the written complaint and he don't remember who has written it. When he was shown the written complaint after perusing the same, admits that the signature available there is his signature. He would further say that when this incident took place Sri D. Santhanam, M. S. Rajendran and others were present and all of them are Civilian Motor Drivers and they knew this incident. He would also say that he gave a compromise letter to Sri A. Kajendran as drafted by Sri V. V. Ganasan and Mr. Sri A. Kajendran got that compromise letter for the departmental enquiry and that he gave that compromise

letter since Sri A. Kajendran came with some Civilian Motor Drivers and requested him to go for compromise. That compromise letter wherein he put his signature is Ex. W4. It is also his evidence that the contents of Ex. W4 are true. In the cross examination by the counsel for the petitioner, he would say that the wording fight became intensified and the co-employees took up assault and he does not know what is written in the complaint and it is not correct if it is mentioned in the complaint that Mr. Gajendran had assaulted him and no incident like quarrel involving physical force was taken place. MW2 Sri D. Santhanam had deposed that the incident took place at about 9.00 am on 25-8-97 and that Sri S. Ambikapathy and Sri A. Kajendran were quarrelled where he was sitting and himself and Rajendran went and separated them and he has not seen Gajendran assaulted Sri S. Ambikapathy and he deposed in the departmental enquiry about this incident. He would further say that he does not know whether Ambikapathy withdrew his complaint and he had put his signature in Ex. M2 kept ready in the section and what it is mentioned Ex. M2 is an assault is incorrect MW3 Mr. Rajendran would depose that on that day there was a quarrel and Sri S. Ambikapathy and Mr. Gajendran and that when they about to assault one another, he intervened and separated him and the management asked him to give it in writing as what had happened. So gave it in writing about this incident. The xerox copy of that written submission with regard to that incident is Ex. M8 and was examined as a witness for the management in the domestic enquiry. In the cross examination, he has stated that he was not threatened by the management that if he does not depose in favour of the management he will be issued a charge sheet, but he has one such fear. MW4 Kumar would depose that he has not seen any untoward incident on that day and that he had not given written reply dated 28-2-96. But after perusing the document, he accepts that the signature put at the bottom of the document as C. Kumar in English is his signature and he had put his signature in that document after reading the contents therein. he has also admitted that in the domestic enquiry he deposed as a witness for the management. MW5 Mr. Mohan would depose that there was only a wordy quarrel between Sri S. Ambikapathy and Sri A. Kajendran and when that wordy quarrel reached an intense stage they interfered and separated them and he had been examined about this incident and he had given a statement as to what had happened and subscribed his signature in that statement. Ex. MW6 Mr. Varghese would say in his evidence that the ex-driver Sri S. Ambikapathy came inside and that when he was entering the room he was scolding generally and Sri A. Kajendran asked Sri S. Ambikapathy as to whom he was holding and that when they were having the wordy quarrel, there were six or seven drivers with him and they separated them and he has also signed the statement recorded by the Enquiry Officer when he gave evidence about this incident. MW7 Mr. Krishnamurthy would depose

that he does not know anything about the occurrence. M8 the legal Assistant of Heavy Vehicles Factory deposed that the Petitioner was awarded minor as well as major penalty for his misconducts committed by him in his period of service of 14 years. The xerox copy of the charge sheet dated 10-12-91 for his misconduct of money lending without obtaining permission from the Respondent/management and for that he was imposed penalty by an order dated 3-10-94. The xerox copy of the same is Ex.M12. He would further say that the xerox copy of the charge memo dated 5-4-96 to the Petitioner for misusing the Govt. vehicle is Ex. M11 and Ex. M12 is the xerox copy of the order dated 25-7-96 imposing penalty of withholding increments for two years with cumulative effect and that Ex.M13 is the xerox copy of the another charge memo dated 4-5-96 issued to the Petitioner for his misconduct of proxy punching and Ex.M14 is the xerox copy of the penalty order dated 19-8-96 imposing the penalty on the Petitioner by reduction of his then pay by two stages for one year with cumulative effect and that Ex. M15 is the xerox copy of the charge memo dated 6-5-95 for his misconduct of unauthorisedly taking the Govt. Vehicle out side the factory and Ex.M16 is the xerox copy of the order dated 27-1-98 imposing the penalty to the Petitioner of reduction in pay by one stage for one year with cumulative effect and that Ex. M17 is the xerox copy of the written complaint dated 28-2-97 given to the General Manager, heavy Vehicles Factory, Avadi and Ex. M2, M8 and M18 are the Xerox copies of written statements given by Sri S. Santhanam, Rajendran and Kumar respectively as eye witnesses to this occurrence.

7. The Petitioner as WW1 has stated in his proof of affidavit which has been treated as Chief Examination that no such incident as stated in the charge memo ever took place either on that day stated therein and that on 28-2-97 he reported for duty and was waiting for instructions from his superiors regarding his work and at that time about 9.15 am Sri S.Ambikapathy, retired Civilian Motor Driver came there. He asked him about the fringe benefits available to the drivers and during their discussion some heated words were exchanged between them and other than this, no such incident of himself assaulting Shi. S. Ambikapathy as stated in the charge memo had taken place. In the cross examination it is this evidence that Sri S. Ambikapathy MW1 gave a complaint against him alleging that the Petitioner had assaulted him on 28-2-97. He has further admitted in the cross examination that when this incident took place Mr. Santhanam, Rajendran, Kumar Mohan and Verghese were all there and they had witnesses as what had happened at that incident and they have also given complaint against him to the higher official. It is his further admission in the cross examination that Sri S. Ambikapathy came for compromise, he would further admit that when there is no such incident took place, there is no necessity for compromising the matter and he accepted the compromise and the other four persons, who were present

at the incident were not aware of the compromise and they got the compromise reduced into writing by a common man. He has also admitted that he had been given punishment earlier for his misconducts thrice.

8. From his admission as well as the evidence of MW8 with the documents Ex.M9 to M16 it is seen that the Petitioner has been punished for his earlier misconducts and his past service cannot said to be blemishless as stated by him in his Claim Statement. His averment in the Claim Statement that he had been discharging his duties faithfully, efficiently and sincerely ever since his date of appointment under the II Party/ Management are false and proved to be incorrect by acceptable oral and documentary evidence on the side of the Respondent/ Management.

9. The witnesses examined on the side of the Respondent/ Management as MW1 to MW7 have not fully supported the case of the prosecution for the reasons best known to them. On the other hand they had admitted in their respective evidence that they have given statements in respect of this incident on 28-2-97 itself under Ex. M2, M8, M17 and M18 respectively. In all these statements, it has been categorically stated that the Petitioner has assaulted Sri S. Ambikapathy Ex- Civilian Motor Driver MW1. It is not their evidence that they have been compelled to give such statements by the management quite contrary to what had happened as an incident on that date. From all these documents and also from the evidence of MWs and WW1 it is seen that an incident has taken place on 28-2-97 wherein the Petitioner Sri A. Kajendran has been involved. WW1 the Petitioner has admitted in the cross examination that Sri S. Ambikapathy MW1 gave a complaint against him alleging that he had assaulted him on 28-2-97 and the matter has been compromised later. MW1 has admitted that he gave a compromise letter to Mr. Kajendran and Sri. A. Kajendran got that compromise letter for the departmental enquiry and he gave that compromise letter, since Sri A. Kajendran came with some Civilian Motor Drivers and requested him to go for a compromise and the contents of the compromise letter Ex. W4 are true. The Petitioner as WW1 also has stated in his evidence that Sri. S Ambikapathy came for compromise and he accepted for compromise and the other four persons who were present at the incident were not aware of the compromise and they got the compromise reduced to writing by a common man. Ex. W4 reads clearly that Petitioner had given a complaint of assault by A. Kajendran on 28-2-97 and since Kajendran had made adequate amends they have come to a compromise on the issue and therefore, he requested his complaint against Sr. A. Kajendran may please be considered as withdrawn. From this it is evident, that there was an assault incident taken place on 28-2-97 for which a complaint was given by MW1 Sri S. Ambikapathy on the same day. If really no such incident has taken place and the Petitioner has not assaulted Sri S. Ambikapathy on

28-2-97 as MW1 has mentioned in his complaint Ex. M18, there is no necessity for M1 Sri S. Ambikapathy to prefer a complaint under Ex. M18 and to mention the same in his compromise letter under Ex. W4 and there is no necessity for the other witnesses also to give statements about this incident under Ex. M2, M8 and M17 and there is no necessity for MW1 give a letter under Ex. W4 stating that he has compromised the matter and he is withdrawing his complaint. It is the categorical evidence of MW1 that Petitioner came along with other Civilian Motor Drivers and requested him to give a letter of compromise for the departmental enquiry, so he gave Ex. W4 and the contents of Ex. W4 are true. For the reasons best known to them they have come forward and deposed before this Court contrary to their earlier respective statements and complaints. So, under such circumstances, it is evidently clear that an incident has taken place as mentioned in the charge memo Ex. M4 and for that act of misconduct on the basis of the materials placed before the Enquiry Officer has given a finding that the charges levelled against the Petitioner has been proved and the same has been accepted by the Disciplinary Authority for imposing a penalty against the Petitioner/Workman for his proved misconduct. From the evidence let in before this Tribunal on either side, it can be easily concluded that the Petitioner/Workman has assaulted the ex-employee of the Respondent/ Management within the factory premises and thereby committed a gross misconducts, which is unbecoming of a Govt. servant as per Rule 3(1) (iii) of CCS (conduct) Rules, 1964. Therefore, the order passed by the Disciplinary Authority dated 18-7-98 under original of Ex. M7 as a penalty of removal from service from 18-7-98 can be held as legal and justified. Hence, the concerned workman is not entitled for any relief. Thus, the point is answered accordingly.

10. In the result, an Award is passed holding that the concerned workman Sri A. Kajendran is not entitled for any relief. No Cost.

(Dictated to the Stenographer, transcribed and typed by him correct and pronounced by me in the open court on this day the 2nd April, 2003.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined:—

For the I Party/ Workman : WW1 Sri A. Kajendran

For the II Party/Management: MW1 Sri. S. Ambikapathy

MW2 Sri. D. Santhanam

MW3 Sri. M.S. Rajendran

MW4 Sri. G. Kumar

MW5 Sri. B. Mohan

MW6 Sri A. Varghese

MW7 Sri. A. Krishnamoorthy

MW8 Shri. Venkatanarayana

Documents Exhibited:—

For the I Party/ Workman :

Ex. No.	Date	Description
W1	9-07-97	Xerox copy of the explanation submitted by Petitioner to charge memo.
W2	30-07-97	Xerox copy of the order of the Respondent Appointing Enquiry Officer.
W3	8-11-97	Xerox copy of the enquiry proceedings.
W4	6-05-98	Xerox copy of the letter of Sri S. Ambikapathy to Respondent.
W5	29-05-98	Xerox copy of the show cause memo issued to Petitioner.
W6	Nil	Xerox copy of the enquiry report.
W7	June, 1998	Xerox copy of the explanation submitted by the Petitioner to show cause notice.
W8	1-09-98	Xerox copy of the appeal preferred by the Petitioner to Appellate Authority.
W9	31-12-98	Xerox copy of the order of the Appellate Authority.
W10	16-01-98	Xerox copy of the letter from General Manager of Respondent/ Management to Petitioner enclosing the order or Appellate Authority.
W11	Nil	Applied preferred by the Petitioner to Appellate Authority at Calcutta.
W12	17-02-99	Order of the Chairman, Ordnance Factory Board, Calcutta as Appellate Authority.

For the II Party/ Management:—

Ex. No.	Date	Description
M1	28-02-97	Xerox copy of the report submitted by Senior Security Officer To respondent/ Management.
M2	28-02-97	Xerox copy of the statement given by Sri Santhanam. CMD To Respondent/ Management.

M3	13-03-97	Xerox copy of the suspension order issued to Petitioner by Respondent/ Management.	M11	05-04-96	Xerox copy of the chargesheet issued to Petitioner.
M4	13-06-97	Xerox copy of the charge sheet issued to Petitioner.	M12	25-07-96	Xerox copy of the order issued to Petitioner with regard to the penalty of withholding of increment.
M5	18-04-98	Xerox copy of the report submitted by Security Officer To Respondent/ Management.	M13	04-05-96	Xerox copy of the chargesheet issued to Petitioner for proxy punching.
M6	23-04-98	Xerox copy of the order issued by Respondent/Management Extending the suspension period of the Petitioner.	M14	19-08-96	Xerox copy of the order issued to Petitioner.
M7	18-07-98	Xerox copy of the order passed by the General Manager removing the Petitioner from service.	M15	06-05-95	Xerox copy of the memo issued to to Petitioner for taking the Govt. Vehicle Unauthorisedly.
M8	28-02-97	Xerox copy of the statement given by CMD to Respondent.	M16	27-01-98	Xerox copy of the order issued to Petitioner imposing penalty of Reduction in pay by one stage.
M9	10-12-91	Xerox copy of the chargesheet issued to Petitioner.	M17	28-02-97	Xerox copy of the statement given by Sri. G. Kumar to Respondent/ Management.
M10	03-10-94	Xerox copy of the order for penalty of censure issued to Petitioner.	M18	Nil	Xerox copy of the letter from Sri. S. Ambikabathu to the General Manager of the Respondent.